



Burlington City Council Meeting

April 19, 2016

Municipal Building Council Chamber

7:00 p.m.

CALL TO ORDER: Mayor Ian Baltutis

INVOCATION: Councilmember Jim Butler

PROCLAMATIONS: “Maker Day” in Burlington – April 23, 2016

CODE OF ETHICS–DISCLOSING CONFLICTS OF INTEREST: City Clerk Renee Ward

APPROVAL OF MINUTES: April 5, 2016 – City Council Meeting

ADOPTION OF AGENDA

CONSENT AGENDA:

- A.** To set a date for advertising 2015 unpaid taxes for May 6, 2016.
- B.** To reschedule the June work session from June 6, 2016, to June 1, 2016 at 5:00pm and reschedule the June 7, 2016, City Council meeting to June 2, 2016, at 7:00pm.
- C.** To approve an agreement allowing Healthy Alamance, Inc., permission to hold a farmers market in a portion of North Park on a weekly basis beginning April 1, 2016, through November 15, 2016, contingent upon meeting insurance requirements.
- D.** To set a date of public hearing for May 17, 2016, to receive input related to entering into a contract for Municipal Service District services.

PUBLIC HEARINGS:

- 1.** A public hearing has been set to receive citizens’ comments on the 2016-17 Community Development Program Annual Action Plan and Action Plan Amendment.
- 2.** A public hearing has been set to consider an application to rezone from R-15 Residential District to CR Conditional Residential District for the use of a 72 unit apartment complex. The property is located at the northwest corner of Saint Marks Church Road and Garden Road, referenced as Alamance County tax identification numbers 107000, 107001 and 107002.

3. A public hearing has been set to consider an application to amend a previously approved Special Use Permit approved by The Burlington City Council on January 28, 1985, by rezoning from B-2 General Business District to CB-Conditional Business District to allow for the continued use of a Unified Business Development with the addition of outdoor gas pumps and a 2,355 square feet addition to the rear of the building. The property is located at the northwest intersection of South Church Street and Shadowbrook Drive, referenced as Alamance County tax identification number 113829.

NEW BUSINESS:

4. City Council will consider approving the 2016 Fees and Charges Schedule for the Burlington Splash Pad to be effective upon passage.

PUBLIC COMMENT PERIOD

CITY COUNCIL COMMENTS

ADJOURN



PROCLAMATION

Proclaiming April 23, 2016
“Maker Day”
In Burlington

WHEREAS, our Nation is home to a long line of innovators who have fueled our economy and transformed our world; and

WHEREAS, Burlington boasts a rich history of manufacturing; and

WHEREAS, the Maker Movement is sweeping through Burlington, providing a current of excitement that is inspiring tinkers, inventors, designers, and engineers to get creative and use their brains and hands to make things; and

WHEREAS, the Maker Movement is a part of a larger strategy to boost American manufacturing and entrepreneurship in local communities; and

WHEREAS, on July 14, 2014, the City of Burlington accepted the Manufacturing Alliance of Communities’ “Mayors Maker Challenge”; and

WHEREAS, the Alamance Makers Guild was formed in 2011 as a community for Makers who live in and around Alamance County to share their talents, knowledge, skills, and ideas with each other and the world; and

WHEREAS, the 5th annual Burlington Mini Maker Faire will be held at Holly Hill Mall on April 23, 2016 as a celebration of making things, modifying things, and being creative; and,

THEREFORE, BE IT RESOLVED that I, Ian Baltutis, Mayor of the City of Burlington, do hereby proclaim April 23, 2016, as “Maker Day” in Burlington, and encourage residents to attend the Burlington Mini Maker Faire and discover the Maker Movement in Burlington first hand.

This the 19th day of April, 2016

Ian Baltutis
Mayor, City of Burlington



**MINUTES OF THE CITY OF BURLINGTON
CITY COUNCIL MEETING
APRIL 5, 2016**

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, N. C., 27216-1358, on April 5, 2016, at 7:00 p.m.

Mayor Ian Baltutis presided

Councilmembers Present: Mayor Ian Baltutis, Mayor Pro Tem Celo Faucette,
Councilmembers Robert Ward, James Butler and Kathy Hykes

Councilmembers Absent: None

City Manager: Hardin Watkins, Present

City Attorney: David Huffman, Present

City Clerk: Renee M. Ward, Present

CALL TO ORDER: Mayor Ian Baltutis

INVOCATION: Councilmember Robert Ward

PROCLAMATIONS:

- Sexual Assault Awareness Month – Mayor presented a proclamation for Sexual Assault Awareness Month to Julie Budd, Volunteer/Outreach Coordinator, CrossRoads Sexual Response & Resource Center and Child Advocacy Center.



- Alcohol Awareness Month

Mayor Baltutis presents a proclamation to Alyssa Breedlove and Haley Ross proclaiming April as Alcohol Awareness month.



- Mayors Day of Recognition for National Service – April 5, 2016

Mayor Baltutis presents a proclamation to Ms. Carolyn Long, AmeriCorps Program Director proclaiming April 5, 2016, as National Service Day.



CODE OF ETHICS–DISCLOSING CONFLICTS OF INTEREST: City Clerk Renee Ward

There were no conflicts of interest reported.

APPROVAL OF MINUTES: March 15, 2016 – City Council

Upon motion by Councilmember Ward, seconded by Councilmember Butler, it was resolved unanimously to approve the above listed minutes.

ADD-ON: CONSENT AGENDA – ITEM F: Set a Date of Public Hearing – West Webb Avenue Demolitions

Upon motion by Councilmember Butler, seconded by Councilmember Hykes, it was resolved unanimously to approve the above listed add-on.

ADOPTION OF AGENDA

Upon motion by Mayor Pro Tem Faucette, seconded by Councilmember Hykes, it was resolved unanimously to adopt the agenda.

CONSENT AGENDA:

- A.** To approve an amendment to the Municipal Records Retention and Disposition Schedule. The official copy of the schedule will remain on file with the City Clerk.
- B.** To set a date of public hearing for April 19, 2016, to receive citizens’ comments on the 2016-17 Community Development Program Annual Action Plan and Action Plan Amendment.
- C.** To approve a request to temporarily close the following streets on May 7, 2016, from 6:30am until 5:00pm for the 2016 Burlington Recreation and Parks Department’s special event, “Burlington Active City Streets”.
 - Front Street from Spring Street to Lexington Avenue
 - Main Street from Davis Street to Front Street
 - Spring Street from Davis Street to Front Street
- D.** Budget Amendment – 2016-29 – Recreation – Kernodle Senior Center – Impact Alamance Grant

BA2016-29

Increase Revenues:

010-33407-6260	Senior Programs/Donations	\$ 9,000
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Increase Expenditures:

010-62626-6013	Trails at Town & Country Park	\$ 9,000
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E. Budget Amendment 2016-30 – RICO Appropriations

BA2016-30

Increase Revenues:

013-39398-0000	Appropriated Fund Balance	\$ 27,780
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Increase Expenditures:

013-52520-3390	Equipment not Capitalized	\$ 27,780
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- F.** To set a date of public hearing for May 3, 2016, for City Council to consider adopting an ordinance and approving a budget amendment for the demolition of 646, 648, 650, 652, and 654 West Webb Avenue.

Upon motion by Councilmember Ward, seconded by Councilmember Hykes, it was resolved unanimously to approve the foregoing consent agenda.

PUBLIC HEARING:

ITEM 1: AMENDMENT TO CITY CODE OF ORDINANCES – CHAPTER 15 – INTOXICATING LIQUORS

Mayor Baltutis announced that the City Council would consider amending City Code of Ordinances, Chapter 15, pertaining to Intoxicating Liquors.

Recreation and Parks Director Tony Laws stated that the amended policy coordinated with the Special Events application process and would blend in with events happening today. He stated that those who want to hold events that include alcohol would continue to meet the requirements of the Special Events application and the City Manager would give the final approval.

The public hearing was opened.

Ms. Ann Russell Hancock, 1526 Sherwood Drive, encouraged training for all those who would be serving alcohol.

Upon motion by Councilmember Ward, seconded by Mayor Pro Tem Faucette, it was resolved unanimously to close the public hearing.

Councilmember Ward stated that the change in the ordinance and the addition of the Special Events policy would allow consistency with all requests.

Mayor Pro Tem Faucette moved for the adoption of the following ordinance:

Ordinance #16-11

**AMENDMENTS TO CHAPTER 15 (INTOXICATING LIQUORS) OF THE
BURLINGTON CITY CODE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, North Carolina, that the following change be made to Chapter 15 (Intoxicating Liquors) of the City Code:

Sec. 1: That Section 15-1 (Consumption on public property) be amended as follows:

From: It shall be unlawful for any person to consume any malt beverage or unfortified wine in or on any public street, sidewalk, alley or other public property within the city. Provided, however, it shall be lawful for any person to purchase and consume malt beverages at Indian Valley Golf Course and Burlington Athletic Stadium subject to and in accordance with all provisions contained in Chapter 18B of the North Carolina General Statutes and any and all regulations which have been or may be promulgated thereunder.

To: It shall be unlawful for any person to consume any malt beverage or unfortified wine in or on any public street, sidewalk, alley or other public property within the city. Provided, however, it shall be lawful for any person to purchase and consume malt beverages and **unfortified wine at Indian Valley Golf Course, Burlington Athletic Stadium, Paramount Theater, the Historic Depot, Willowbrook Arboretum, and the Downtown Municipal Service District with the exception of the Lexington Avenue Municipal Building and surrounding grounds and parking lot, and the Davis Street Municipal Annex Building and surrounding grounds and parking lot, provided necessary permits and approval have been secured.**

It shall be lawful to purchase and consume malt beverages or unfortified wine at Regional Park (City Park) for city sponsored events at the annual Burlington Carousel Festival and in accordance with all provisions contained in Chapter 18B of the North Carolina General Statutes and any and all regulations which have been or may be promulgated thereunder.

Sec. 2: That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

Sec. 3: That this ordinance shall take effect upon passage.

The foregoing ordinance was seconded by Councilmember Ward, and after full discussion, the same was voted upon and declared duly adopted, no amendments having been offered and consent having been given to place the same upon its immediate passage. Councilmembers voting in favor of the motion to adopt the foregoing ordinance were Baltutis, Faucette, Ward, Butler and Hykes.

NEW BUSINESS:

ITEM 2: TEMPORARY STREET CLOSURE – DOWNTOWN FOOD TRUCK FESTIVAL

Mayor Baltutis announced that the City Council would consider a request to temporarily close the following streets from 11:00am until 7:30pm for the Rusted Bucket Tavern to host a series of Downtown Food Truck Festival's on May 8, June 12, July 10, August 14, September 11, and October 9, 2016.

- Davis Street from Worth Street to Spring Street
- Main Street from Maple Avenue to Front Street

Ms. Angie Ball, owner, Rusted Bucket Tavern, stated that by popular demand she would be holding a series of food truck festivals on the 2nd Sunday of each month beginning in May through October. She stated that she has something special planned for Mother's Day on May 8th and for September 11th.

Upon motion by Councilmember Butler, seconded by Mayor Pro Tem Faucette, it was resolved unanimously to approve the temporary street closing contingent upon meeting the requirements of the Special Events application.

PUBLIC COMMENT PERIOD

Mr. Wiley Wooten invited Council and citizens to the Arts Council Art Exhibit featuring Dale Chihuly, beginning July 1 through October 15, 2016.

Mr. Tony Cox spoke on issues in Alamance County.

CITY COUNCIL COMMENTS

Mayor Baltutis – The next City Council meeting will be on April 19, 2016, 7:00 p.m.

Councilmember Butler commended Alyssa Breedlove and Haley Ross for being present and speaking out on alcohol awareness and asked that staff provide information on training that may be required for those serving alcohol. He stated that a proclamation was important and that it was also important that the proper training is completed.

Mayor Baltutis:

- Special program for feral cats to be used to mouse areas around barns.
- April 8, 2016 - Lake Mackintosh, Star Party – 7:30 – 9:30 p.m.
- Bulk waste free pick-up continues until April 29, 2016.
- North Park Farmers Market kicked-off today and will continue every Tuesday from 3:00 to 6:00 p.m.
- Downtown Farmers Market – each Saturday until noon.
- Hazard Household Waste Collection – April 16th at the Burlington Police and Fire Training Center, 8:00 a.m. to 1:00 p.m.
- Rabies Clinic – Pet Adoption Center – Saturday, April 9, 2016 – 9:00 a.m. to 11:00 a.m.
- Colonial Athletic Association Tennis Tournament – April 21 – 24, 2016.
- Splash Park will open Memorial Day weekend
- Link Transit will begin June 6, 2016.

ADJOURN:

Upon motion by Mayor Baltutis, seconded by Councilmember Ward, it was resolved unanimously to adjourn. (7:47 p.m.)

Renee M. Ward

Renee M. Ward
City Clerk

April 5, 2016
City Council Meeting

Memorandum

TO: Hardin Watkins, City Manager

FROM: Tamera Dawkins, Tax Collector

DATE: April 12, 2016

RE: Establishment Date to Advertise 2015 Unpaid Taxes

It is recommended that Friday, May 6, 2016 be set as the date for advertising unpaid 2015 taxes. The advertisement will appear in the Times-News.

Please include this item on the April 19, 2016 City Council Consent Agenda so the Council can officially set the date for advertisement.

Thank you for your assistance in this matter.

NORTH CAROLINA

LICENSE AGREEMENT

ALAMANCE COUNTY

THIS LICENSE AGREEMENT is entered into, this ____ day of _____, 2016, by and between the City of Burlington (hereinafter “City” or “Licensor”) and Healthy Alamance, Inc. (hereinafter, “Healthy Alamance” or “Licensee”)

RECITALS:

WHEREAS, the City of Burlington is a North Carolina municipal corporation, chartered and incorporated pursuant to the authority of the North Carolina Constitution and General Statutes; and

WHEREAS, Healthy Alamance, Inc. is a North Carolina non-profit corporation incorporated pursuant to Section 501(c)(3) of the Internal Revenue Code and Section 55A-2-02 of the North Carolina General Statutes for the purpose of promoting good health and nutrient among the citizenry of Alamance County; and

WHEREAS, it is the desire of the City, acting through its governing board, the City Council, to encourage and promote good health and nutrition of its citizenry; and

WHEREAS, it is the desire of Healthy Alamance, Inc. to operate a farmers market at North Park beginning in the Spring of 2016; and

WHEREAS, an outdoor farmers’ market provides a venue for Alamance County residents to browse and purchase locally-grown produce and value-added products, and to interact with and learn about such produce and products directly from the growers, producers, and farmers; and

WHEREAS, the City owns the real property fronting Sharp Road and Ross Street upon which the City operates North Park including Mayco Community Center; and

WHEREAS, the City, in conjunction with Healthy Alamance, Inc. and Impact Alamance, Inc., is in the process of having a permanent, open-air shelter constructed in North Park which can accommodate, among other uses, the operation of a farmers’ market, said structure to be a fixture attached to and incorporated into the City’s North Park; and

WHEREAS, until that time when said permanent, outdoor open-air shelter is completed and operational, Healthy Alamance, Inc., desires to operate a farmers' market at North Park utilizing temporary, open-sided tents; and

WHEREAS, the City has recently approved the use of a portion of City Parking Lot #1 by the Burlington Downtown Farmers Market, Inc. (hereinafter, "BDFM") to operate a weekly downtown farmers' market; and

WHEREAS, it is Healthy Alamance, Inc.'s desire and intent to collaborate with BDFM, Inc., to effectively and efficiently attract local vendors to market their produce and local citizens to purchase such healthy produce at their respective outdoor farmers' markets; and

WHEREAS, it is anticipated and desired by both parties that the North Park Farmers Market operated by Healthy Alamance, Inc. will be successful resulting in a need to expand the days and times of operation; and

WHEREAS, at its April 19, 2016, meeting, the Burlington City Council approved Healthy Alamance, Inc.'s request to be allowed to operate a farmers' market in the City's North Park upon satisfying the City's insurance requirements and executing a written agreement prepared by the City Attorney.

THEREFORE, IT IS AGREED AS FOLLOWS:

1. The City grants to Healthy Alamance, Inc. a license, that being a right to use, designated areas of North Park for the purpose of operating a farmers' market beginning April 2016, through November 15, 2016, for specified times, that initially being on each Tuesday from 3:00 p.m. through 6:00 p.m.
2. No use of the Licensor's said facilities shall create or vest with Licensee any lease, easement or other property interest in the Licensor's real property.
3. Other than the permanent, open-air shelter discussed above and currently being constructed on the North Park campus, the Licensee shall not alter, construct or install any improvements or facilities on the City's North Park real property that cannot be removed by Healthy Alamance, Inc. at the completion of the farmers' market each Tuesday. Any such temporary alterations or facilities shall be removed from the premises by the Licensee at the completion of each day's market with the real property being restored to its order and condition as it was at the beginning of that day's market.

4. At all relevant times to this License Agreement, Licensee shall maintain comprehensive or commercial liability insurance in the amounts and conditions set out in "Exhibit A," attached hereto and incorporated herein.
5. Licensee agrees to indemnify, defend and hold harmless Licensors, its officers, employees, and agents from any and all claims, suits or actions brought against them, or any of them, by third parties based upon any injury to person or damage to property of the Licensors sustained in connection with or arising or resulting from intentional or negligent acts or omissions by Licensee and its employees, agents, vendors and patrons in using the designated real property of the Licensors.
6. Licensors shall not be liable for any claims, actions, suits, charges and judgments whatsoever, including attorney fees, arising out of the performance or non-performance of this License Agreement by Licensee.
7. This License Agreement shall become effective beginning April 2016, through November 15, 2016. At the Licensee's option, said license may be extended for the identical periods of time in the two successive calendar years of 2017 and 2018.
8. This License Agreement is assignable and transferable by the Licensee, but only with the prior written consent and approval of the City.
9. During the term of this License Agreement, Healthy Alamance, Inc. agrees that it shall not, in accordance with Federal and State law, discriminate against any person on the grounds of race, color, national origin, sex, age, or disability in the administration of this Agreement nor shall any person be excluded from participation in, or be denied the benefits of, participating in this farmers market venture established under this Agreement on the grounds of race, color, national origin, sex, age, or disability.
10. Licensee shall at all relevant times obtain and comply with the provisions of this License Agreement and all laws, ordinances and regulations of the City and State.
11. The individual executing this instrument for his/her respective organization acknowledges that he/she has the authority, following governing board action, to execute and bind the organization in this License Agreement.
12. Service of all notices under this License Agreement shall be by registered mail, or certified mail, return receipt requested, and mailed to the party and at the address designated below:

City of Burlington
Hardin Watkins
City Manager
Post Office Box 1358
Burlington, North Carolina 27216-1358

Healthy Alamance, Inc.
Ann Meletzke
Registered Agent
319 North Graham-Hopedale Road
Burlington, North Carolina 27217

13. This License Agreement shall be governed by and construed in accordance with North Carolina law.

IN WITNESS WHEREOF, the City of Burlington and the Healthy Alamance, Inc., through their respective lawful representatives, have executed this License Agreement.

CITY OF BURLINGTON

HEALTHY ALAMANCE, INC.

By: _____
Hardin Watkins, City Manager

By: _____
Ann Meletzke, Executive Director

Date: _____

Date: _____



CITY OF BURLINGTON

"Connecting the Triad & the Triangle"

Nolan P. Kirkman, PE

Director of Development & Technical Services

April 9, 2016

MEMORANDUM

TO: Hardin Watkins
City Manager

FROM: Nolan P. Kirkman, PE
Director of Development & Technical Services

SUBJECT: Municipal Service District (MSD) Public Hearing
April 19, 2016 City Council Meeting

In the state budget bill, SL2015-241, changes were made related to MSD authority. The bill amends NCGS 160A-536 subjecting municipalities to additional requirements when contracting with a private entity to "provide services, facilities, functions or promotional and development activities" for a MSD.

The changes require a municipality to solicit input from MSD residents and property owners, to use a formal bid process for the selection of the contractor and hold a public hearing prior to entering into a contract for services. To comply for the City's downtown MSD, two focus group meetings and an online survey were conducted in March and a Request for Proposals (RFP) was released on March 30th with proposals due on April 25th.

Please place an item on the April 19, 2016 City Council Meeting agenda requesting Council to set a date of public hearing for May 17, 2016 to receive input prior to entering into a contract for MSD services. Staff plans to evaluate proposals received and make a recommendation to Council to coincide with the public hearing.

Please advise if any additional information is desired regarding this matter.

cc: David Huffman, City Attorney
Peggy Reece, Director of Finance & Risk Management
Amy Nelson, Planning & Economic Development Director
Lisa Wolff, Parks and Recreation Programming Superintendent
Hal Hayes, Purchasing Manager

MEMORANDUM

TO: Hardin Watkins, City Manager

FROM: Shawna Tillery, Community Development Administrator

DATE: April 9, 2016

SUBJECT: City Council Agenda – April 19, 2016
Hold Public Hearing for Citizens to Comment on
Proposed Community Development Program
2016-17 One-Year Action Plan and Action Plan Amendment

At its April 5, 2016 meeting, City Council set April 19, 2016 as the public hearing date for citizens to comment on the proposed Community Development Program 2016-17 One-year Action Plan. Please schedule a public hearing for the City Council's April 19, 2016 meeting.

Staff will use the citizen comments received at the public hearing and during the required 30-day comment period to complete the One-year Action Plan and Action Plan Amendment. The One-year Action Plan describes the proposed activities for the City's Community Development Block Grant (CDBG) allocation for program year 2016.

The City and Alamance County are members of a Consortium of Local Governments receiving federal HOME Program funds. As Lead Entity for the HOME Consortium, the City of Greensboro prepares the HOME Investment Partnerships (HOME) Program Consolidated Plan for the members. The City of Burlington administers Alamance County's HOME Program and is responsible for accepting citizen comments on the City and County's proposed uses of HOME Program funds during 2016-17.

Attached is the proposed 2016-17 Community Development Program budget summary of the proposed projects/activities for the CDBG and HOME Programs.

If you have any questions concerning this matter, please advise me.

**COMMUNITY DEVELOPMENT PROGRAM
SUMMARY OF PROPOSED PROJECTS
FY 2016-17**

Community Development Block Grant (CDBG) Program

Project Name: Richmond Hill

Proposed Expenditure: \$83,555

Project Description: The project will be to provide flood drainage improvements to the Richmond Hill development project. The project will include the clearing and stabilizing on 12.44 acres along with necessary storm water management fees. The project includes a multiyear mixed use development which will contain a childcare facility, affordable senior housing, affordable single-family housing and a medical facility. This is the first year of phase development. During the program year construction will begin on the senior housing and medical facility after drainage improvements have been completed. The project will leverage over \$12 million dollars of investment for affordable housing, access to healthcare, and access to affordable childcare after completion. This project is located in a low to moderate income area which is also classified as a near RCAP area per HUD standards in Burlington.

Project Name: Housing Rehabilitation Program

Proposed Expenditure: \$100,000 (Revolving Loan Funds)

Project Description: Receipts from the revolving loan fund will be used for loans for low and moderate-income households to rehabilitate their homes to provide safe, decent dwellings that meet the City's Minimum Housing Code. The City will undertake any required lead-based paint hazard reduction procedure and when necessary, temporarily relocate program participants.

Project Name: Ralph Scott Lifeservices

Proposed Expenditure: \$52,000

Project Description: The City plans to provide funds to assist Ralph Scott Lifeservices to renovate the interior of its Day Services Facility, StarPoint. This project will allow for sustained use of the facility. The facility serves as a needed day program for individuals with developmental and other intellectual disability. The program current serves 87 individuals. Approximately 76 of those individuals also are served in the residential programs operated by Ralph Scott Lifeservices and another 11 come from the community, where they reside with their families. No other program of this type is available to these citizens within the Alamance/Burlington area.

Project Name: Construction Training Program

Proposed Expenditure: \$65,000

Project Description: The City will invest \$65,000 of CDBG funds in the North Carolina Construction Training Partnership Program to provide job training in the construction industry and housing assistance for low-income area residents. The program is the continuation of a cooperative venture between the City, the North Carolina Housing Finance Agency (NCHFA) and the North Carolina Home Builders Association (NCHBA). North Carolina Home Builders Association will recruit the trainees and conduct the job training and development activities. Class instruction includes hands-on rehabilitation training, RRP certification, green building skills, and building maintenance instruction. The training consists of a spring and fall class with approximately 16-20 participants. The class participates in hands-on rehabilitation activities through the City's housing rehabilitation program. The projects the class works on are reviewed for environmental standards through the scattered site housing rehabilitation process. North Carolina Housing Finance Agency will provide funds of \$65,000 for hard construction costs for eligible affordable housing rehabilitation projects identified and undertaken by the City.

Project Name: Thataways Upgrades

Proposed Expenditure: \$37,000

Project Description: The City plans to fund the renovation the bathroom at the City-owned Thataways. The bathroom located at the facility currently does not accommodate handicap accessibility needs. This project will address the issue to meet ADA code compliance along with removal of asbestos flooring located in the facility. The City will fund remaining portion of abatement and new flooring the remaining part of the facility.

Project Name: Family Abuse Services

Proposed Expenditure: \$31,935

Project Description: The City plans to provide funds to assist Family Abuse Services to renovate the interior of two bathrooms to make the bathrooms commercial grade and handicap accessible. This project will allow for sustained use of the facility. The facility serves victims of domestic violence and is the County's only shelter for domestic violence clients. The existing kitchen is being upgraded with private funds to make accessible and sustainable for the future.

Project Name: Residential Treatment Services Upgrades

Proposed Expenditure: \$18,200

Project Description: The City plans to provide funds to assist Residential Treatment Services to paint the interior of the Hall Avenue facility. This project will allow for sustained use of the facility. The facility serves an 8-bed treatment unit which serves both men and women and a Supervised Living Program for 17 male residents.

Project Name: Allied Churches

Proposed Expenditure: \$30,000

Project Description: The NC Balance of State Coordinated Assessment, a US Department of Housing and Urban Development mandated program, sets out to end

homelessness by increasing exit to housing, decreasing length of time for homeless, and reducing the rate of return to homelessness. To accomplish this, a local access to homeless services will have to standardize via an agency network. Allied Churches has been selected to handle all initial intake and referrals using a centralized model for Alamance County. A dedicated staff will be necessary to handle the additional workload. This funding will cover a portion of the Coordinated Assessment staff person with additional funding from United Way of Alamance County. Also, due to the increase in the rapid re-housing program funds are needed to support the operation portion of the program. A portion of this allocation will be used for this and the remaining will come from Allied Churches

Project Name: Burlington Development Corporation

Proposed Expenditure: \$25,209

Project Description: Burlington Development Corporation, a non-profit component of the Burlington Housing Authority operates two supportive housing programs for chronically homeless and homeless families. The HOPE program is a permanent housing program for chronically homeless individuals and STEPS is a repaid rehousing program for disabled homes families. As part of the Continuum of Care funds from HUD these programs require a 20% match to continue to operate for the community. The City plans to provide the cash match for the Burlington Development Corporation to continue to operate these programs for the upcoming fiscal year. A MOU will be signed prior to releasing funds to BDC.

Project Name: North Park Library

Proposed Expenditure: \$10,000

Project Description: Each year, the City sets aside funds to purchase books, materials and supplies for the branch library in the Mayco Bigelow Community Center at North Park. Continuation of this financial assistance permits the library to operate and maintain its level of service to the community. This year the increased amount will greatly benefit the library when materials budgets are being drastically cut.

Project Name: Relocation

Proposed Expenditure: \$2,000

Project Description: Depending on the extent of the rehabilitation a homeowner may be required to relocate during the rehabilitation of their home. The City will provide temporary relocation assistance to persons who are qualified participants under the homeowner rehabilitation program. In all cases the City will try to reduce relocation expenses for homeowners by making arrangements for persons to stay with family members and friends during the rehabilitation of their home. The City will use CDBG funds to cover eligible relocation expense during the rehabilitation process.

Other Proposed CDBG Expenditures: Administration \$47,112

Other Proposed CDBG Expenditures: Administration \$47,112

City of Burlington HOME Program

Project Name:	Owner-Occupied Housing Rehabilitation	
Proposed Expenditures:	HOME Program Funds	\$200,647
	Program Income	25,000
	Construction Training Program Funds	<u>65,000</u>
	Total	\$290,647

Project Description: Project funds will provide deferred loans for the rehabilitation of owner-occupied housing units. As part of the housing rehabilitation process, the City will undertake any required lead-based paint hazard reduction procedures. When necessary, the City will also temporarily relocate families participating in the housing rehabilitation program.

Project Name:	CHDO Project Assistance	
Proposed Expenditure:	HOME Program Funds	\$31,189

Project Description: Pursuant to federal regulations, the City will reserve 15% of the HOME Program allocation for an approved Community Housing Development Organization (CHDO). Habitat for Humanity of Alamance County and Alamance County Community Services Agency will continue to develop affordable houses for low and moderate-income families on the City-owned Apple Street property.

Other Proposed City HOME Program Expenditure: Administration \$13,515

Alamance County HOME Program

Project Name:	Homeowner Housing Rehabilitation	
Proposed Expenditures:	HOME Program Funds	\$82,558
	Program Income	15,000
	Local Match Funds	<u>20,639</u>
	Total	\$141,863

Project Description: Project funds will be used for deferred loans to rehabilitate owner-occupied housing units located outside of the Burlington municipal limits. The housing rehabilitation process will include performing any required lead-based paint hazard reduction procedures on the units. When necessary, the program participants will be temporarily relocated.

Project Name:	CHDO Set-Aside	
Proposed Expenditure:	HOME Program Funds	\$16,512

Project Description: From Alamance County's HOME Program allocation, funds for the approved CHDO, Alamance County Community Services Agency, will be set-aside to assist with the development of affordable housing in the Apple Street subdivision.

Other Proposed County HOME Program Expenditure: Administration \$7,155

Note: HOME Program regulations require a 25% local match of all expenditures of HOME Program funds other than administrative funds. The required match for the CHDO project is included in the local funds designated for housing rehabilitation activities.

MEMORANDUM

TO: Hardin Watkins, City Manager

FROM: Amy L. Nelson, Director of Planning & Economic Development

DATE: April 13, 2016

SUBJECT: City Council Agenda – April 19, 2016
Public Hearing to rezone from R-15 Residential District to CR Conditional Residential District for the use of a 72 unit apartment complex.
Alamance County tax identification numbers 107000, 107001 and 107002.

At the March 28, 2016 meeting of the Burlington Planning and Zoning Commission, Mr. Joe Chambers presented an application to rezone from R-15 Residential District to CR Conditional Residential District for the use of a 72 unit apartment complex. The properties are located at the northwest corner of Saint Marks Church Road and Garden Road, referenced as Alamance County tax identification numbers 107000, 107001 and 107002.

Staff recommended approval of the request for rezoning with the Use and Development Conditions submitted by the petitioner.

The Commission unanimously recommended approval of the request for rezoning.

In addition, the Commission recommended that the official zoning map and the Comprehensive Land Use Plan be amended to reflect the rezoning. The Commission found that the zoning changes as requested would not adversely affect the adjoining property, would be in keeping with land use planning in the area and was consistent with the Comprehensive Land Use Plan for Burlington and its environs.

This matter will be advertised as required for a public hearing before the City Council on April 19, 2016, and abutting property owners will be properly notified. Please have this item placed on the City Council agenda for that date.

If the Council approves the request, the following ordinance should be adopted:

ORDINANCE TO AMEND OFFICIAL ZONING MAP (Rezone Property located at the northwest corner of Saint Marks Church Road and Garden Road.)

BE IT ORDAINED by the City Council of the City of Burlington, North Carolina:

Section 1. That the official zoning map, an element of the Burlington Zoning Ordinance, and the Comprehensive Land Use Plan are hereby rezoned from R-15 Residential District to CR Conditional Residential District for the use of a 72 unit apartment complex, subject to the conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance the area described as follows:

Property located at the northwest corner of Saint Marks Church Road and Garden Road; referenced as Alamance County tax identification numbers 107000, 107001 and 107002.

Section 2. That the rezoning from R-15 Residential District to CR Conditional Residential District for the use of a 72 unit apartment complex is hereby authorized subject to the following Use and Development Conditions:

Use Conditions

1. 72 unit apartment complex with amenities as per site plan.

Development Conditions

1. 40' for potential future R/W reserved along St. Marks Church Rd for future acquisition by NCDOT as required for road widening.
2. Building setbacks along St. Marks Church Rd are established as 25' from future 40' R/W line which makes a current total setback as 65'.
3. Entrance sign shall be installed on west side of Garden Rd entrance as shown on site plan (see attached sign redesign)
4. All infrastructure shall be installed in accordance with City of Burlington standards.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed including site plans and other submissions, unless subsequently changed or amended as provided for in the City of Burlington Zoning Ordinance.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in the City of Burlington Code of Ordinances and Zoning Ordinance.

Section 5. That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall take effect upon passage.

If you have any questions concerning this item, please advise.

ALN/kp

C: David Huffman, City Attorney

STATEMENT OF CONSISTENCY

The City Council finds that the above amendment is consistent with the City of Burlington Comprehensive Land Use Plan and that this action is reasonable and in the public interest in that the amendment is compatible with existing land uses in the vicinity and reflects the changing land use patterns in the area.



City of Burlington Zoning Staff Report

Applicant: Garden Retreat Villas

Property Location: Northwest intersection of Saint Marks Church Road & Garden Road

PIN: 107000, 107001 & 107002

Area: Approximately 4.5 acres

Current Zoning: R-15 Residential

Proposed Zoning: CB-Conditional Business

Current Land Use Allowed: Vacant

Proposed Land Use: 72 Unit Apartment complex

Adjacent property Conditions:

Location	Zoning	Land Use	Land Use Plan
North	Commercial	Commercial	Mixed Comm. & Res.
South	Residential	Residential	Mixed Comm. & Res.
East	Residential & Commercial	Commercial & Residential	Mixed Comm. & Res.
West	Commercial & Residential	Residential & Commercial	Mixed Comm. & Res.

Comprehensive Plan Consistency: The Comprehensive Land Use Plan for the area calls for mixed commercial and residential uses. The area between South Church Street and Garden Road is a commercial corridor. Chapter 03 “Livability” of the City of Burlington Comprehensive Plan calls for a mix of housing options in all Burlington neighborhoods that supports affordability, accessibility and diversity. It goes on to state that a variety of housing options will allow for a vibrant mix of residents and create a critical mass of people to support local commercial activities. Diverse housing types with different price points include apartments, single family homes, townhomes, second-story lofts and duplexes. A multifamily development at this location is consistent with the land use plan by offering a mix of uses as the plan calls for and a good transition between commercial and residential.

Staff Recommendation: This plan has been approved by the Technical Review Committee. Staff recommends approval of the rezoning request.

City of Burlington
Zoning & Parcel
Information System



City of Burlington
GIS Division

Last Update:
June 02, 2009

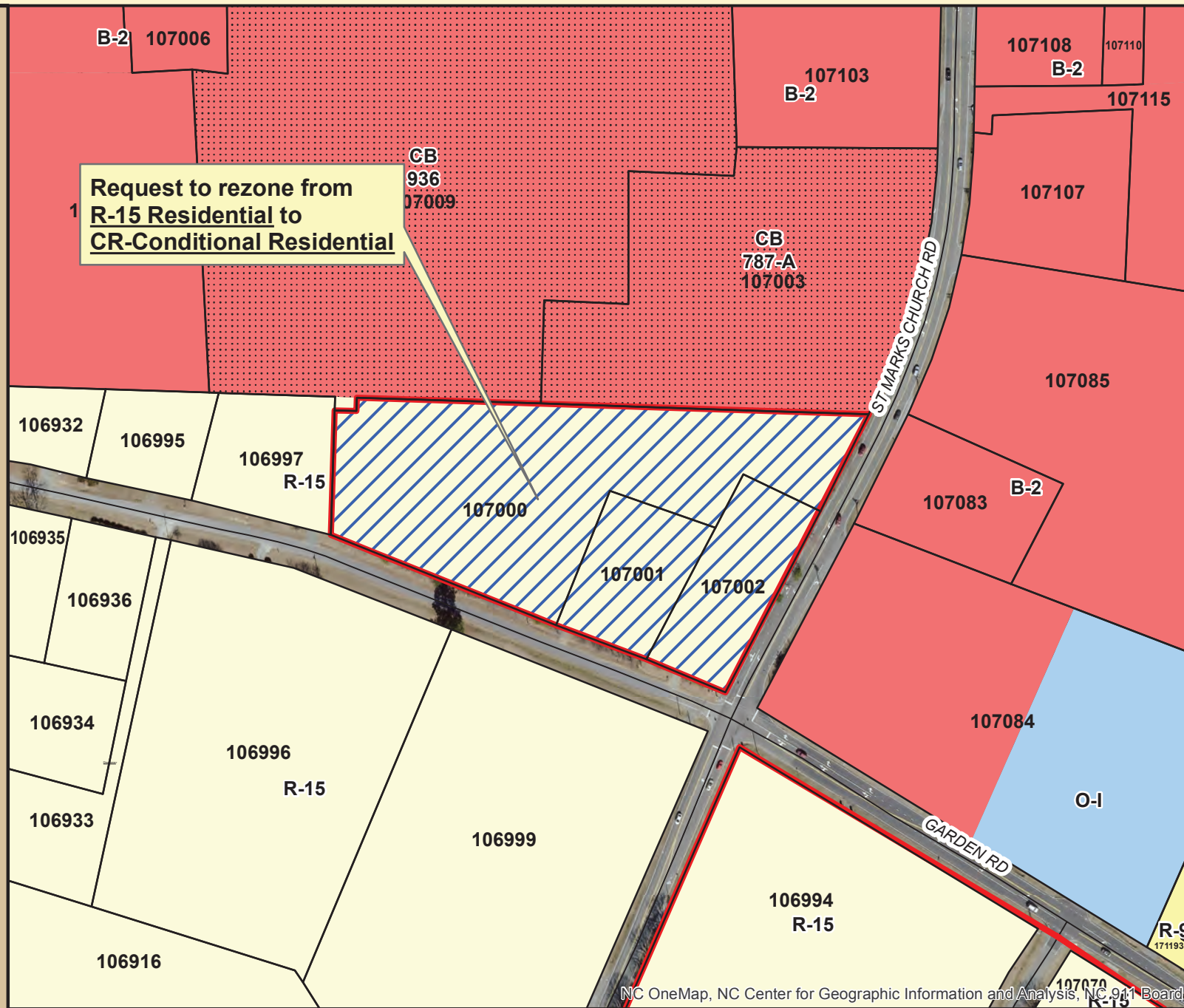
Legend

Zoning

B-1	I-3
B-2	MF-A
B-3	MF-B
CB	O-I
CI	RO-I
CMX-C	CPEC
CMX-R	R-6
CO-I	R-9
CR	R-12
I-1	R-15
I-1A	R-30
I-2	R-M



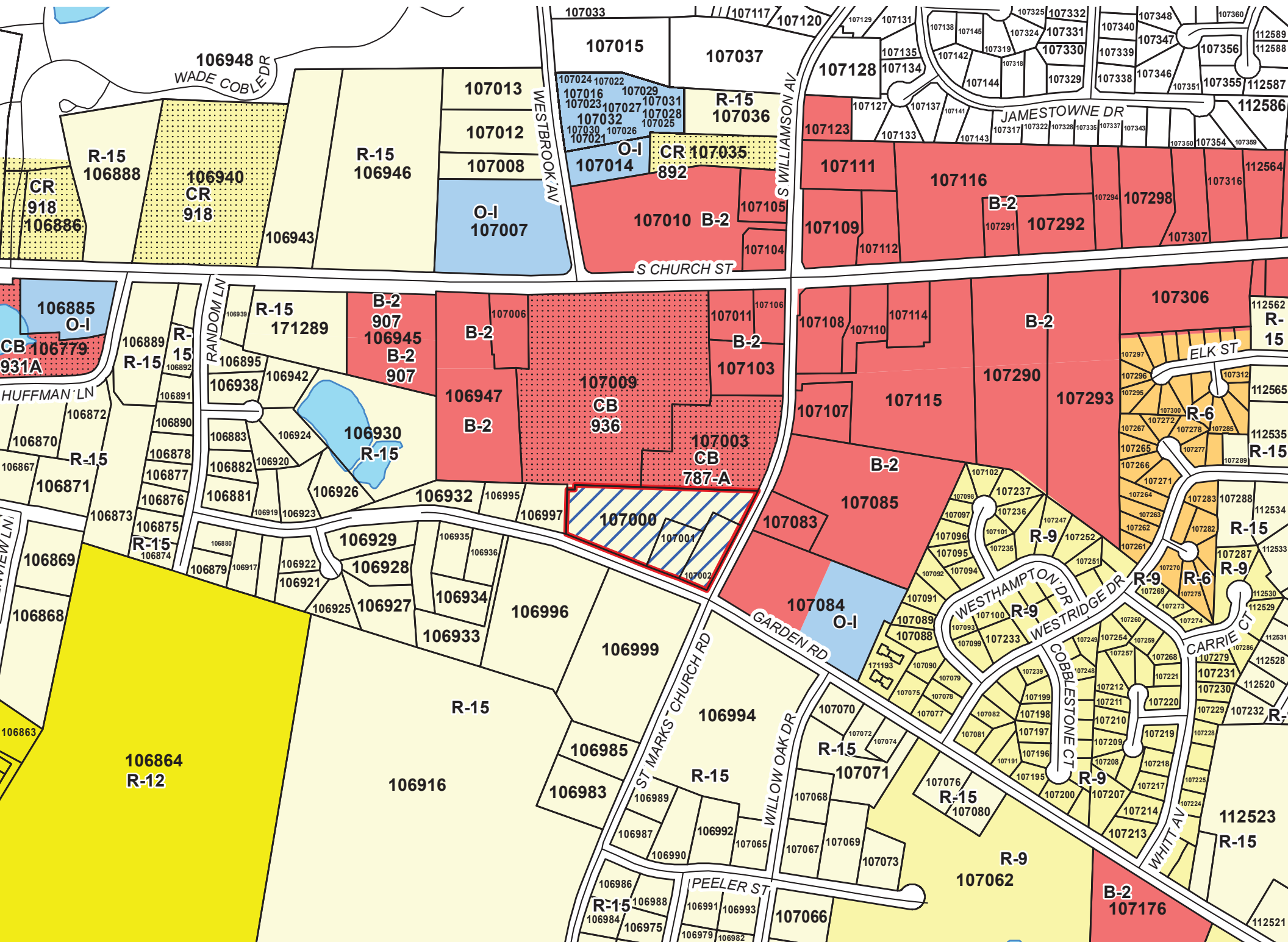
1 inch = 200 feet



Disclaimer:

This map was compiled from the GIS resources of the Burlington Regional GIS Partnership for public planning and agency support purposes. These resources include public information sources of different scale, time, origin, definition and accuracy, which aspects produce inconsistencies among features represented together on this map. Neither the City of Burlington nor the Partnership shall be held liable for any errors in this map or supporting data. Primary public information sources from which this map was compiled, in conjunction with field surveys where required, must be consulted for the verification of the information contained within this map.

NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board





CITY OF BURLINGTON PLANNING DEPARTMENT

Conditional Rezoning Application

Part I

Date Submitted _____ Fee/Receipt No. _____ / _____

Provide the required information as indicated below. Pursuant to the City of Burlington Zoning Ordinance, this application will not be processed until application fees are paid, the form below is completed and signed and all required maps and plans and documents have been submitted to the satisfaction of the Planning Department. Additional sheets for tax references, signatures and use and development conditions are attached.

Pursuant to Section 32.19 of the City of Burlington Zoning Ordinance, the undersigned hereby requests the City of Burlington to rezone the property listed below from R-15 zoning district to CR zoning district for the following purpose: MULTIFAMILY APARTMENTS DEVELOPMENT AND APPURTENANCES

Said property is located NW CORNER OF INTERSECTION OF GARDEN RD AND ST MARKS CHURCH RD

being a total of 4.492 acres and further referenced on Alamance County or Guilford County Tax Maps as follows: (Additional space on Page 5)

Tax Map PIN No 8844776612 PARCEL ID 107000

Tax Map PIN No 8844777438 PARCEL ID 107001

Tax Map PIN No 8844778477 PARCEL ID 107002

Tax Map _____

Check one:

- ☒ The property requested for rezoning is an entire parcel or parcels as shown on the Alamance or Guilford County Tax Map.
- ☐ The property requested for rezoning is a portion of a parcel or parcels as shown on the Alamance or Guilford County Tax Map and a written legal description of the property and a map are attached.

Check one:

- ☐ Public services (i.e., water and sewer) are not requested or required.
- ☒ Public services (i.e., water and sewer) are requested or required.

Conditional rezoning requirements:

- ☒ Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Section 32.19 of the City of Burlington Zoning Ordinance for conditional rezoning requirements.
- ☒ Zoning Conditions. Use and/or development conditions must be provided. Complete Part II of this application. Refer to uses as listed in the Table of Permitted Uses, Section 32.9, of the City of Burlington Zoning Ordinance.

CITY OF BURLINGTON PLANNING DEPARTMENT

Conditional Rezoning Application Part II

USE CONDITIONS: Uses of the property shall be limited to the following uses as listed in the Table of Permitted Uses, Section 32.9, of the City of Burlington Zoning Ordinance: (Additional space on Page 6)

1) 72 UNIT APARTMENT COMPLEX WITH AMENITIES AS PER
SITE PLA

2)

3)

4)

DEVELOPMENT CONDITIONS: Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the City of Burlington Zoning Ordinance: (Additional space on Page 6)

- 1) 40' FOR POTENTIAL FUTURE R/W RESERVED ALONG ST MARKS CHURCH RD
FOR FUTURE ACQUISITION BNC DOT AS REQUIRED FOR ROAD WIDENING
- 2) BLOG SETBACKS ALONG ST MARKS CHURCH RD ARE ESTABLISHED AS 25' FROM
FUTURE 40' R/W LINE WHICH MAKES A CURRENT TOTAL SETBACK OF 65'
- 3) ENTRANCE SIGN SHALL BE INSTALLED ON WEST SIDE OF GARDEN RD ENTRANCE
AS SHOWN ON SITE PLAN (SEE ATTACHED SIGN DESIGN)
- 4) ALL INFRASTRUCTURE SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF BURLINGTON STD.

(Additional signature space on Page 5)

Property Owner's Signature

William Lane Hudson

Property Owner's Name Printed

✓ Wilder Lane Hudson

Name of Firm (if applicable)

813 Golf House Rd

Mailing Address

Whitsett, NC 27377

City, State and Zip Code

336-675-7957

Area Code and Daytime Telephone Number

[Signature]
Representative's Signature (if applicable)

AGENT FOR
GARDNER
CAPITAL

HARRIS B GUPTON

Representative's Name Printed

GARDNER CAPITAL DEVELOPMENT INC, LLC

Name of Firm (if applicable)

205 E CENTRAL BLVD, SUITE 304

Mailing Address

ORLANDO, FL 32801

City, State and Zip Code

407-376-4502

Area Code and Daytime Telephone Number

Additional Tax Map References: (Continued from Page 3)

Further referenced on Alamance or Guilford County Tax Maps as:

Tax Map _____

Tax Map _____

Tax Map _____

Tax Map _____

Additional Signatures: (Continued from Page 4)

Michael P. Hudson
Property Owner's Signature

Michael P. Hudson
Property Owner's Name Printed

Name of Firm (if applicable)

4585 Cornerstone Dr.
Mailing Address

Burlington, NC 27215
City, State and Zip Code

336-226-0658
Area Code and Daytime Telephone Number

Property Owner's Signature

Property Owner's Name Printed

Name of Firm (if applicable)

Mailing Address

City, State and Zip Code

Area Code and Daytime Telephone Number

Representative's Signature (if applicable)

Representative's Name Printed

Name of Firm (if applicable)

Mailing Address

City, State and Zip Code

Area Code and Daytime Telephone Number

Representative's Signature (if applicable)

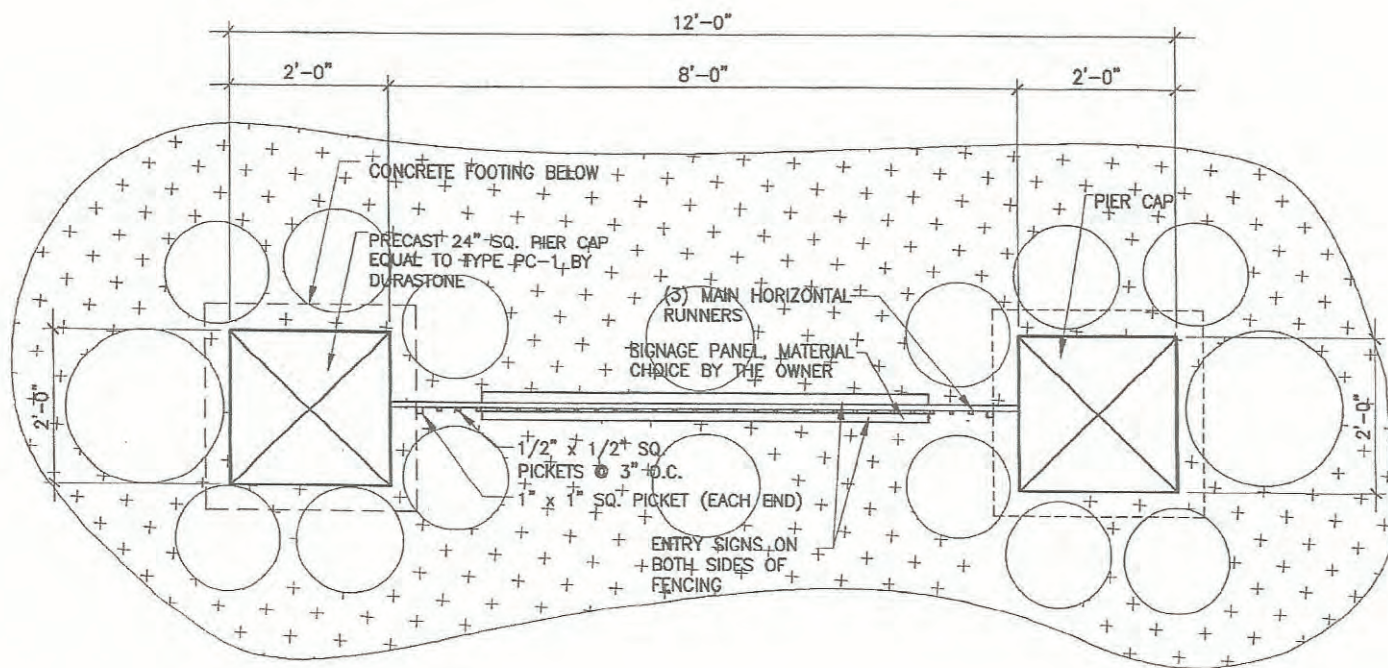
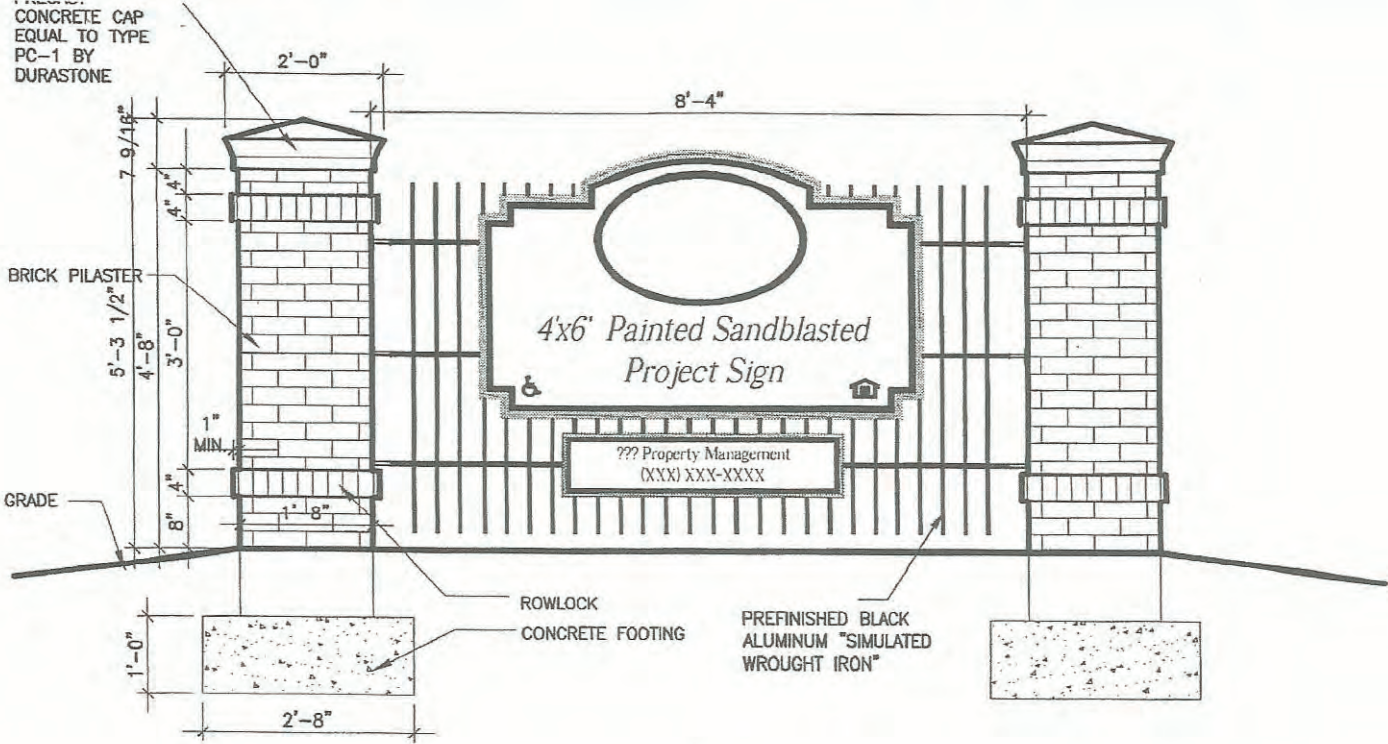
Representative's Name Printed

Name of Firm (if applicable)

Mailing Address

City, State and Zip Code

Area Code and Daytime Telephone Number



1 Entry Sign

MEMORANDUM

TO: Hardin Watkins, City Manager

FROM: Amy L. Nelson, Director of Planning & Economic Development

DATE: April 13, 2016

SUBJECT: City Council Agenda – April 19, 2016
Public Hearing to rezone from B-2 General Business District to CB-Conditional Business District. The property is located at the northwest intersection of South Church Street and Shadowbrook Drive.
Alamance County tax identification number 113829.

At the March 28, 2016 meeting of the Burlington Planning and Zoning Commission, Mr. Steve Blakley with Kimley-Horn & Associates, Representing New Market Burlington, LLC presented an application to amend a previously approved Special Use Permit approved by the Burlington City Council on January 28, 1985 by rezoning from B-2 General Business District to CB-Conditional Business District to allow for the continued use of a Unified Business Development with the addition of outdoor gas pumps and a 2,355 square feet addition to the rear of the building. The property is located at the northwest intersection of South Church Street and Shadowbrook Drive, referenced as Alamance County tax identification number 113829.

Staff recommended approval of the request for rezoning with the Use and Development Conditions submitted by the petitioner.

The Commission discussed concerns about traffic in the area. Representatives from Kimley-Horn and Associates presented the Commission the results of a traffic impact analysis that showed minimal impact on the current traffic conditions. They also explained that the property owner was reserving 15 feet of their property along Shadowbrook Drive in order to accommodate the need for future road improvements.

After much discussion Commission Member Mr. Early Kenan, Jr. made a motion to approve the request. Commission Member Ms. Rebecca Lashley seconded the motion. The Commission voted 4 in favor of the motion and 2 against the motion; the motion passed due to the majority vote. Voting in favor of the motion was Commission Members Enoch, Lashley, Kenan, Jr., and Jagers. Voting against the motion was Commission Members Parker, and Black.

In addition, the Commission recommended that the official zoning map and the Comprehensive Land Use Plan be amended to reflect the rezoning. The Commission found that the zoning changes as requested would not adversely affect the adjoining property, would be in keeping with land use planning in the area and was consistent with the Comprehensive Land Use Plan for Burlington and its environs.

This matter will be advertised as required for a public hearing before the City Council on April 19, 2016, and abutting property owners will be properly notified. Please have this item placed on the City Council agenda for that date.

If the Council approves the request, the following ordinance should be adopted:

ORDINANCE TO AMEND OFFICIAL ZONING MAP (Rezone Property located at the northwest intersection of South Church Street and Shadowbrook Drive.)

BE IT ORDAINED by the City Council of the City of Burlington, North Carolina:

Section 1. That the official zoning map, an element of the Burlington Zoning Ordinance, and the Comprehensive Land Use Plan are hereby amended by amending a previously approved Special Use Permit approved by the Burlington City Council on January 28, 1985 by rezoning from B-2 General Business District to CB-Conditional Business District to allow for the continued use of a Unified Business Development with the addition of outdoor gas pumps and a 2,355 square feet addition to the rear of the building, subject to the conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance the area described as follows:

Property located at the northwest intersection of South Church Street and Shadowbrook Drive; referenced as Alamance County tax identification numbers 107000, 107001 and 107002.

Section 2. That the rezoning from B-2 General Business District to CB-Conditional Business District, Unified Business Development is hereby authorized subject to the following Use and Development Conditions:

Use Conditions

1. Unified Business Development as per 32.10.QQ
2. Retail (240 SF Kiosk) with gas pumps

Development Conditions

1. Parking ratio reduced from 5 spaces per 1,000 SF of building area to 4 spaces per 1,000 SF of building area and not subject to any other or more stringent, parking calculation based on use.
2. Property owner will reserve 15 feet of Right of Way along Shadowbrook Drive as shown for a future road widening once funded and ready for construction.
3. Proposed signage will adhere to B-2 General Business standards.
4. Existing Landscaping will remain.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed including site plans and other submissions, unless subsequently changed or amended as provided for in the City of Burlington Zoning Ordinance.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in the City of Burlington Code of Ordinances and Zoning Ordinance.

Section 5. That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall take effect upon passage.

If you have any questions concerning this item, please advise.

ALN/kp

C: David Huffman, City Attorney

STATEMENT OF CONSISTENCY

The City Council finds that the above amendment is consistent with the City of Burlington Comprehensive Land Use Plan and that this action is reasonable and in the public interest in that the amendment is compatible with existing land uses in the vicinity and reflects the changing land use patterns in the area.



City of Burlington Zoning Staff Report

Applicant: New Market Burlington, LLC

Property Location: Northwest intersection of South Church Street and Shadowbrook Drive

PIN: 13829

Area: Approximately 11.18 acres

Current Zoning: B-2 General Business

Proposed Zoning: CB-Conditional Business

Current Land Use Allowed: Unified Business Development

Proposed Land Use: Unified Business Development with outdoor gas pumps

Adjacent property Conditions:

Location	Zoning	Land Use	Land Use Plan
North	Residential	Residential	Residential
South	Commercial	Commercial	Commercial
East	Commercial & Residential	Commercial & Residential	Residential
West	Residential & O&I	Residential & O&I	Residential

Comprehensive Plan Consistency: The Comprehensive Land Use Plan for the area north of South Church Street along Shadowbrook Drive calls for residential use. The intersection of Shadowbrook Dr. and South Church St. is part of an existing commercial corridor making this request compatible to the zoning and land uses in the area.

Staff Recommendation: This property was rezoned from MF-A Multifamily District and R-15 Residential District to B-2 General Business District on December 20, 1984. A Special Use Permit was approved for the existing Unified Business Development (2 or more businesses on 3 or more acres of land) on January 28, 1985. The Special Use Permit was amended November 5, 1996 to allow for a pylon sign to be placed on the property. Currently, any Special Use Permit approved prior to June 3, 2003 may only be amended by Conditional zoning. The request for a reduction in parking spaces and the addition of gas pumps requires an amendment and is consistent with other shopping centers such as Wal-Mart on Graham-Hopedale Rd., Kmart on Huffman Mill Rd. and BJ's at Alamance Crossing. The Traffic Impact Analysis provided by Kimley-Horn and Associates showed minimal impact to the intersection of South Church Street and Shadowbrook Drive. The property owner has agreed to reserve 15 feet of their property along Shadowbrook Drive for additional right-of-way in the event the city may need to widen the intersection in the future in order for it to be able to handle additional traffic that may be created in the future.

The site plan has been approved by the Technical Review Committee.
Staff recommends approval of the rezoning request.

City of Burlington
Zoning & Parcel
Information System



City of Burlington
GIS Division

Last Update:
June 02, 2009

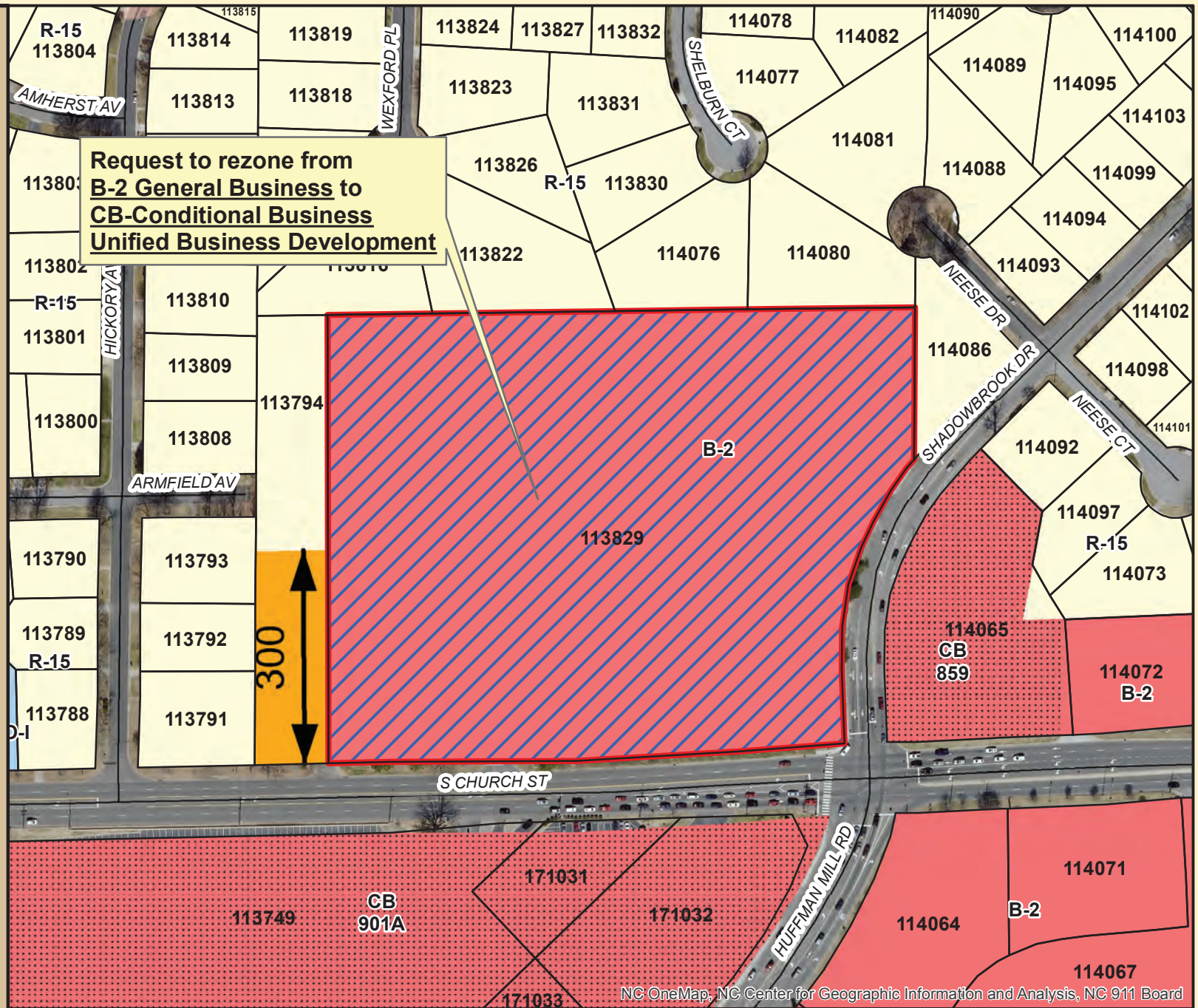
Legend

Zoning

B-1	I-3
B-2	MF-A
B-3	MF-B
CB	O-I
CI	RO-I
CMX-C	CPEC
CMX-R	R-6
CO-I	R-9
CR	R-12
I-1	R-15
I-1A	R-30
I-2	R-M



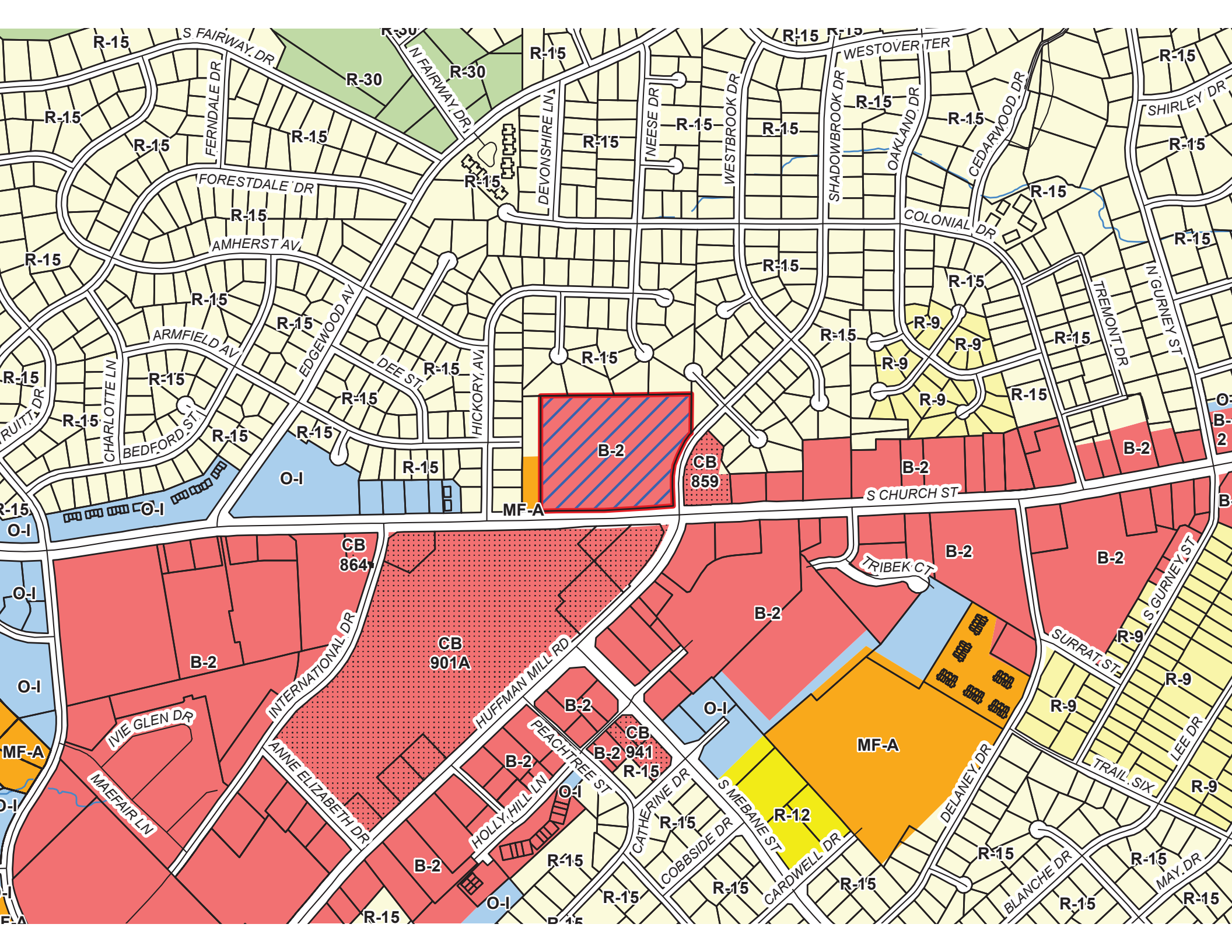
1 inch = 200 feet



Disclaimer:

This map was compiled from the GIS resources of the Burlington Regional GIS Partnership for public planning and agency support purposes. These resources include public information sources of different scale, time, origin, definition and accuracy, which aspects produce inconsistencies among features represented together on this map. Neither the City of Burlington nor the Partnership shall be held liable for any errors in this map or supporting data. Primary public information sources from which this map was compiled, in conjunction with field surveys where required, must be consulted for the verification of the information contained within this map.

NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board





CITY OF BURLINGTON PLANNING DEPARTMENT

Conditional Rezoning Application Part I

Date Submitted 3.11.16 Fee/Receipt No. 1

Provide the required information as indicated below. Pursuant to the City of Burlington Zoning Ordinance, this application will not be processed until application fees are paid, the form below is completed and signed and all required maps and plans and documents have been submitted to the satisfaction of the Planning Department. Additional sheets for tax references, signatures and use and development conditions are attached.

Pursuant to Section 32.19 of the City of Burlington Zoning Ordinance, the undersigned hereby requests the City of Burlington to rezone the property listed below from B2 zoning district to CB zoning district for the following purpose: Unified Business Development with fuel sales

Said property is located at 2727 Church Street, Burlington, NC

being a total of 11.18 acres and further referenced on Alamance County or Guilford County Tax Maps as follows: (Additional space on Page 5)

Tax Map 113829

Tax Map _____

Tax Map _____

Tax Map _____

Check one:

- ☒ The property requested for rezoning is an entire parcel or parcels as shown on the Alamance or Guilford County Tax Map.
- ☐ The property requested for rezoning is a portion of a parcel or parcels as shown on the Alamance or Guilford County Tax Map and a written legal description of the property and a map are attached.

Check one:

- ☒ Public services (i.e., water and sewer) are not requested or required.
- ☐ Public services (i.e., water and sewer) are requested or required.

Conditional rezoning requirements:

- ☒ Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Section 32.19 of the City of Burlington Zoning Ordinance for conditional rezoning requirements.
- ☒ Zoning Conditions. Use and/or development conditions must be provided. Complete Part II of this application. Refer to uses as listed in the Table of Permitted Uses, Section 32.9, of the City of Burlington Zoning Ordinance.

CITY OF BURLINGTON PLANNING DEPARTMENT

Conditional Rezoning Application Part II

USE CONDITIONS: Uses of the property shall be limited to the following uses as listed in the Table of Permitted Uses, Section 32.9, of the City of Burlington Zoning Ordinance: (Additional space on Page 6)

- 1) Unified Business Development as per 32.10.QQ
- 2) Retail (240 SF Kiosk) with gas pumps
- 3)
- 4)

DEVELOPMENT CONDITIONS: Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the City of Burlington Zoning Ordinance: (Additional space on Page 6)

- 1) Parking ratio reduced from 5 spaces per 1,000 SF of building area to 4 spaces per 1,000 SF of building area and not subject to any other, or more stringent, parking calculation based on use.
- 2) Property owner will reserve 15 feet of Right of Way along Shadowbrook Drive as shown for a future road widening once funded and ready for construction.
- 3) Proposed signage will adhere to B2 General Business standards.
- 4) Existing Landscaping will remain.

(Additional signature space on Page 5)

Property Owner's Signature

NEWMARKET-BURLINGTON, LLC

Property Owner's Name Printed

Name of Firm (if applicable)

610 E. MOREHEAD ST SUITE 100

Mailing Address

CHARLOTTE, NC 28202

City, State and Zip Code

704 3194939

Area Code and Daytime Telephone Number

Representative's Signature (if applicable)

Representative's Name Printed

Name of Firm (if applicable)

Mailing Address

City, State and Zip Code

Area Code and Daytime Telephone Number

CITY OF BURLINGTON PLANNING DEPARTMENT

Conditional Rezoning Application

Part II

USE CONDITIONS: Uses of the property shall be limited to the following uses as listed in the Table of Permitted Uses, Section 32.9, of the City of Burlington Zoning Ordinance: (Additional space on Page 6)

- 1) _____

- 2) _____

- 3) _____

- 4) _____

DEVELOPMENT CONDITIONS: Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the City of Burlington Zoning Ordinance: (Additional space on Page 6)

- 1) _____

- 2) _____

- 3) _____

- 4) _____

(Additional signature space on Page 5)

Property Owner's Signature

Property Owner's Name Printed

Name of Firm (if applicable)

Mailing Address

City, State and Zip Code

Area Code and Daytime Telephone Number

Marianne Moseley
Representative's Signature (if applicable)

Marianne Moseley
Representative's Name Printed

Kimley-Horn
Name of Firm (if applicable)

100 S. Tryon St. Suite 200,
Mailing Address

Charlotte, NC 28202
City, State and Zip Code

704.409.1011
Area Code and Daytime Telephone Number

Additional Tax Map References: (Continued from Page 3)

Further referenced on Alamance or Guilford County Tax Maps as:

Tax Map _____

Tax Map _____

Tax Map _____

Tax Map _____

Additional Signatures: (Continued from Page 4)

Property Owner's Signature _____

Property Owner's Name Printed _____

Name of Firm (if applicable) _____

Mailing Address _____

City, State and Zip Code _____

Area Code and Daytime Telephone Number _____

Property Owner's Signature _____

Property Owner's Name Printed _____

Name of Firm (if applicable) _____

Mailing Address _____

City, State and Zip Code _____

Area Code and Daytime Telephone Number _____

Matthew A. Edwards
Representative's Signature (if applicable)

Matthew A. Edwards
Representative's Name Printed

Kimley-Horn & Associates INC
Name of Firm (if applicable)

200 South Tryon, Ste. 200
Mailing Address

Charlotte, NC 28202
City, State and Zip Code

(704) 954-7493
Area Code and Daytime Telephone Number

Maggie Jones
Representative's Signature (if applicable)

Maggie Jones
Representative's Name Printed

Kimley-Horn
Name of Firm (if applicable)

200 South Tryon, Suite 200
Mailing Address

Charlotte, NC 28202
City, State and Zip Code

(704) 409-1812
Area Code and Daytime Telephone Number



SITE DEVELOPMENT PLANS FOR Harris Teeter Fuel

STORE #345 - BURLINGTON
2727 CHURCH STREET
BURLINGTON, ALAMANCE COUNTY, NORTH CAROLINA 27215

UTILITY AND GOVERNING AGENCIES CONTACT LIST AND MATRIX:

PLANNING / ZONING DEPARTMENT

CITY OF BURLINGTON
PLANNING DEPARTMENT
425 S LEXINGTON AVENUE
P.O. BOX 1398
BURLINGTON, NORTH CAROLINA
(336)222-5110 TEL

TELEPHONE

WINDSTREAM
(704)722-2000 TEL

ENGINEERING DEPARTMENT

CITY OF BURLINGTON
ENGINEERING DEPARTMENT
425 S LEXINGTON AVENUE
BURLINGTON, NORTH CAROLINA
(336)222-5050 TEL

CABLE TELEVISION / INTERNET

TIME WARNER CABLE
(704)508-5150 TEL

EROSION CONTROL

NC DENR
DIVISION OF ENERGY, MINERAL AND LAND RESOURCES
1612 MAIL SERVICE CENTER
RALEIGH, NORTH CAROLINA 27699
(919)707-9200 TEL
(919)715-8801 FAX

WATER

CITY OF BURLINGTON
425 S LEXINGTON AVENUE
BURLINGTON, NC 27215
(336)222-5100 TEL

FIRE MARSHALL

BURLINGTON FIRE DEPARTMENT
215 SOUTH CHURCH STREET
BURLINGTON, NC 27215
(336)229-3564 TEL

SANITARY SEWER

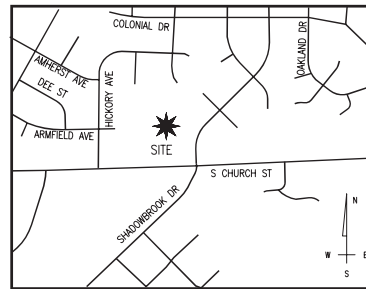
CITY OF BURLINGTON
425 S LEXINGTON AVENUE
BURLINGTON, NC 27215
(336)222-5100 TEL

ELECTRIC

DUKE POWER
528 SOUTH CHURCH STREET
CHARLOTTE, NC 28202
(800)777-8898

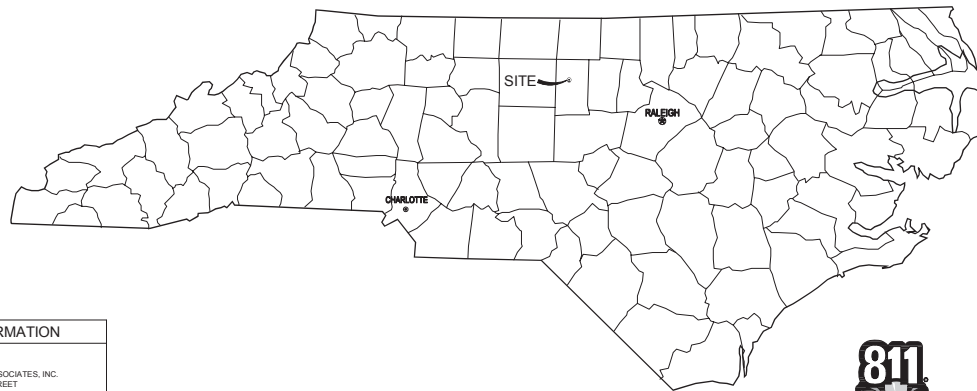
DEPARTMENT OF TRANSPORTATION

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
(704)436-9316 TEL



SITE LOCATION MAP
NOT TO SCALE

Sheet List Table	
Sheet Number	Sheet Title
C0-0	COVER SHEET
C-01	EXISTING CONDITIONS
C-02	DEMOLITION PLAN
C-04	EROSION CONTROL PHASE 1
C-05	GENERAL NOTES
C2-0	OVERALL SITE PLAN
C2-1	FUEL STATION SITE PLAN
C2-2	FUEL STATION PAVING PLAN
C2-3	FIGURE PLAN
C2-4	BUILDING EXPANSION PLAN
C3-0	PAVING, GRADING AND DRAINAGE PLAN
C4-0	UTILITY PLAN
C4-1	GONDUT ROOFING PLAN
C5-0	LANDSCAPE PLAN
C5-1	EROSION CONTROL AND LANDSCAPE DETAILS
C6-1	SITE DETAILS
C6-2	UTILITY DETAILS
C6-3	PAVING, GRADING AND DRAINAGE DETAILS



PROJECT OWNER AND CONSULTANT INFORMATION

OWNER:

HARRIS TEETER, LLC
701 CRESTDALE RD.
MATTHEWS, NORTH CAROLINA, 28105
(704) 844-3100 TEL
CONTACT: MICHAEL BURDETTE

ENGINEER:

KIMLEY HORN AND ASSOCIATES, INC.
200 SOUTH TRYON STREET
SUITE 200
CHARLOTTE, NORTH CAROLINA 28202
(704) 333-5131 TEL
CONTACT: MATTHEW A. EDWARDS, P.E.(NC)

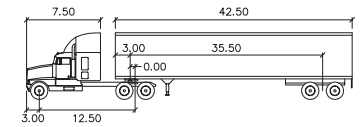


PREPARED BY:

Kimley»Horn

REV.	DATE	REVISIONS	PAGES
DATE	FILE NUMBER	SHEET NUMBER AND NAME	TOTAL SHEETS
3/02/16	015640045	C0-0 - COVER SHEET	5

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KIMLEY-HORN AND ASSOCIATES, INC.



WB-50	feet		
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 17.7
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.50		

ZONING CODE SUMMARY

PROJECT NAME:	STORE #345 - BURLINGTON
CLIENT NAME:	HARRIS TETTER, LLC.
PHONE#	(704)844-3100
PLANS PREPARED BY:	KIMLEY-HORN AND ASSOCIATES
PHONE#	(704)333-5131
TAX PARCEL ID:	
STREET ADDRESS:	2727 CHURCH STREET

ZONING:	BURGLIGHT, PG
PROPOSED USE:	B2
BUILDING HEIGHT:	21'
LOT SIZE:	11.184 ACRES (EXISTING)
MAP BLOCK LOT:	3-17-166
MINIMUM LOT WIDTH:	NA
MINIMUM LOT DEPTH:	NA
MAXIMUM BUILDING HEIGHT:	TBD
JURISDICTION:	CITY OF BURLINGTON
YARD REQUIREMENTS:	
SETBACK (FRONT):	NA
SIDE YARD (NORTH):	NA
SIDE YARD (SOUTH):	NA
REAR YARD:	NA

PARKING SUMMARY

EXISTING BUILDING SQUARE FOOTAGE: 125,494 SF
EXISTING PARKING SPACES REQUIRED: 628 SPACES (5 SPACES / 1,000SF)
EXISTING PARKING SPACES PROVIDED: 631 SPACES

PARKING SPACES LOST: 62 SPACES

PROPOSED BUILDING SQUARE FOOTAGE: 128,089 SF
ADDITION TO OVERALL SHOPPING CENTER: 2,365 SF
ADDITION FOR FUEL CENTER: 240 SF

PROPOSED PARKING SPACES REQUIRED: 513 SPACES (4 SPACES / 1,000 SF)
PROPOSED PARKING SPACES PROVIDED: 567 SPACES

STORMWATER CONTROL INFORMATION

PERVIOUS AREA TO BE REMOVED: 2,013 SF
 PROJECT REVIEWED AREA: 22.10 AC

PROPOSED PERVIOUS AREA: 29,18 SF

LANDSCAPING

ALL EXISTING LANDSCAPING AND BUFFER AREA TO REMAIN.

FEMA REGULATED FLOODWAY / FLOODPLAIN INFORMATION

SITE IS NOT LOCATED WITHIN A FLOODWAY OR FLOODPLAIN.

SOIL EROSION CONTROL AND GRADING PLAN

EROSION CONTROL AND GRADING PLAN WILL BE SUBMITTED WITH HARRIS TEETER FUEL
CONSTRUCTION DOCUMENT SUBMITTAL

LANDUSE

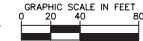
EXISTING LANDUSE: GENERAL BUSINESS
PROPOSED LANDUSE: GENERAL BUSINESS
EXISTING ADJACENT LANDUSE: RESIDENTIAL / MULTIFAMILY / GENERAL BUSINESS



ZONING AND ADJACENT OWNER MAP
NOT TO SCALE

[illegible]

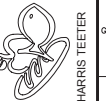
1 NEWMARKET BURLINGTON, LLC
2 BRIAN W. & BRIANNE MARTINDALE
3 JAMES E. & BEVERLY M. RILEY
4 RANDY G. & DIANE O. ECTOR
5 THURMAN B. & LOIS OAKLEY
6 STEVEN A. & JEAN C. DAILEY



Kimley»Horn

C License #F-0102
00 SOUTH TRYON ST.
SUITE 200
CHARLOTTE, NC 28202
PHONE: (704) 333-5131

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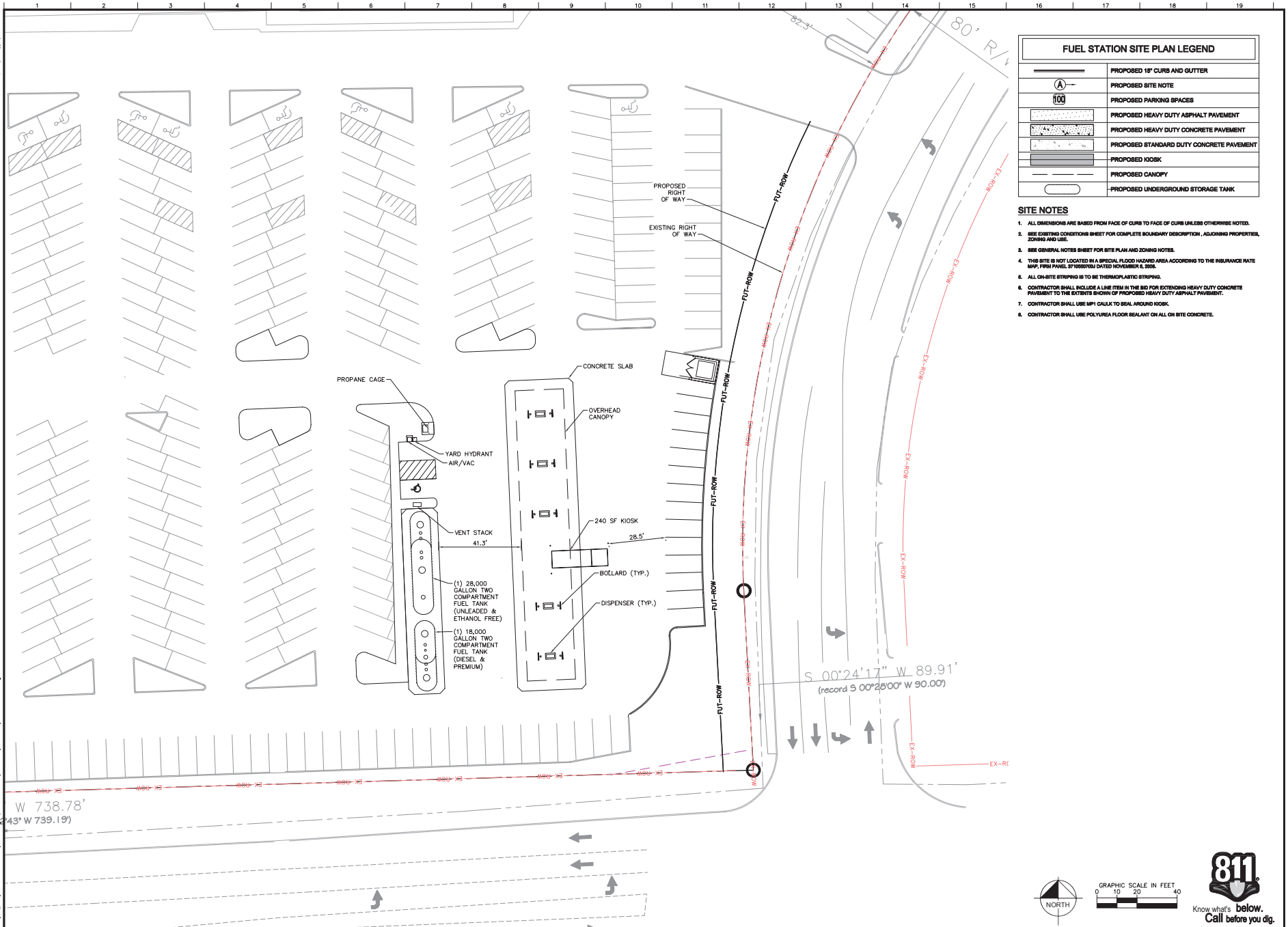
[illegible]

HARRIS TEETER FUEL CENTER
STORE #345
BURLINGTON
2727 CHURCH STREET
BURLINGTON, NORTH CAROLINA 27215
ALAMANCE COUNTY

OVERALL SITE PLAN

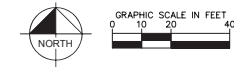
DESIGNED BY:	MJF
DRAWN BY:	PF
CHECKED BY:	MAE
DATE:	3/02/16
PROJECT#:	015640045

C2-0



FUEL STATION SITE PLAN LEGEND	
	PROPOSED 18" CURB AND GUTTER
	PROPOSED SITE NOTE
	PROPOSED PARKING SPACES
	PROPOSED HEAVY DUTY ASPHALT PAVEMENT
	PROPOSED HEAVY DUTY CONCRETE PAVEMENT
	PROPOSED STANDARD DUTY CONCRETE PAVEMENT
	PROPOSED KIOSK
	PROPOSED CANOPY
	PROPOSED UNDERGROUND STORAGE TANK

- SITE NOTES**
- ALL DIMENSIONS ARE BASED FROM FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - SEE EXISTING CONDITIONS SHEET FOR COMPLETE BOUNDARY DESCRIPTION, ADJOINING PROPERTIES, ZONING AND USE.
 - SEE GENERAL NOTES SHEET FOR SITE PLAN AND ZONING NOTES.
 - THIS SITE IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA ACCORDING TO THE INSURANCE RATE MAP, FIRM PANEL 87105501D DATED NOVEMBER 8, 2006.
 - ALL ON-SITE STRIPING IS TO BE THERMOPLASTIC STRIPING.
 - CONTRACTOR SHALL INCLUDE A LINE ITEM IN THE BID FOR EXTENDING HEAVY DUTY CONCRETE PAVEMENT TO THE EXTREME END OF PROPOSED HEAVY DUTY ASPHALT PAVEMENT.
 - CONTRACTOR SHALL USE MPT CAULK TO SEAL AROUND KIOSK.
 - CONTRACTOR SHALL USE POLYUREA FLOOR SEALANT ON ALL ON SITE CONCRETE.



Kimley-Horn
 NC License #F-0102
 200 SOUTH TRYON ST.
 SUITE 200
 CHARLOTTE, NC 28202
 PHONE: (704) 333-5131
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NO.	DATE	REVISIONS

CLIENT:

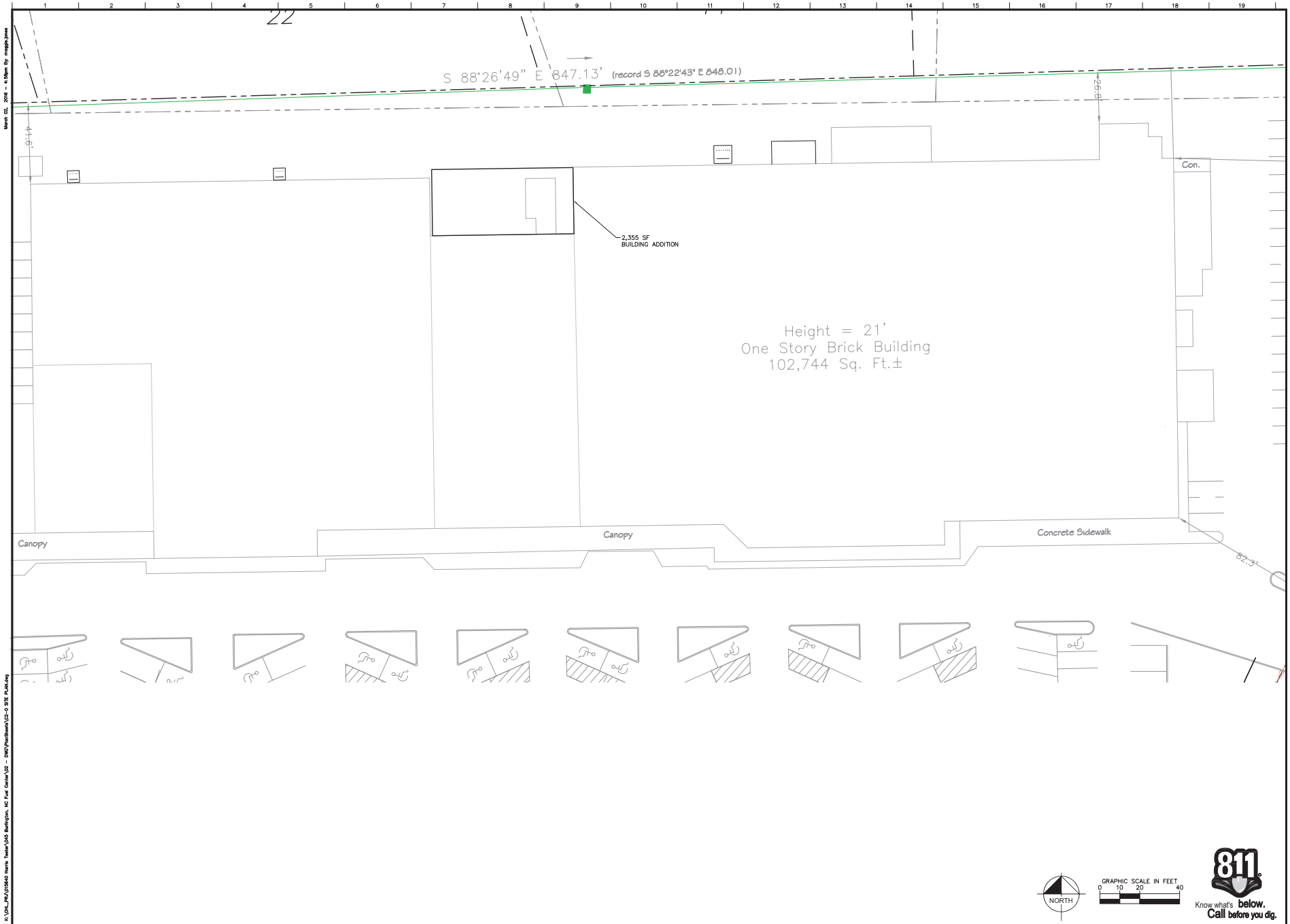
 HARRIS TEETER

PROJECT:
 HARRIS TEETER FUEL CENTER
 STORE #945
 BURLINGTON
 2727 CHURCH STREET
 BURLINGTON, NC 27215
 ALAMANCE COUNTY

TITLE:
 FUEL STATION SITE PLAN

DESIGNED BY: MFJ
 DRAWN BY: PF
 CHECKED BY: MAE
 DATE: 3/02/16
 PROJECT#: 015640045

C2-1



March 02, 2016 - 4:00pm By: [signature]

N:\SCL\PM\015640 Harris Teeter Fuel Center\02-0 SITE Plan.dwg


Kimley-Horn

NC License #F-0102
200 SOUTH TRYON ST.
SUITE 200
CHARLOTTE, NC 28202
PHONE: (704) 333-5131

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NO.	DATE	REVISIONS

CLIENT



HARRIS TEETER

PROJECT

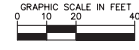
HARRIS TEETER FUEL CENTER
STORE #945
BURLINGTON
2727 CHURCH STREET
BURLINGTON, NC 27615
ALAMANCE COUNTY

TITLE

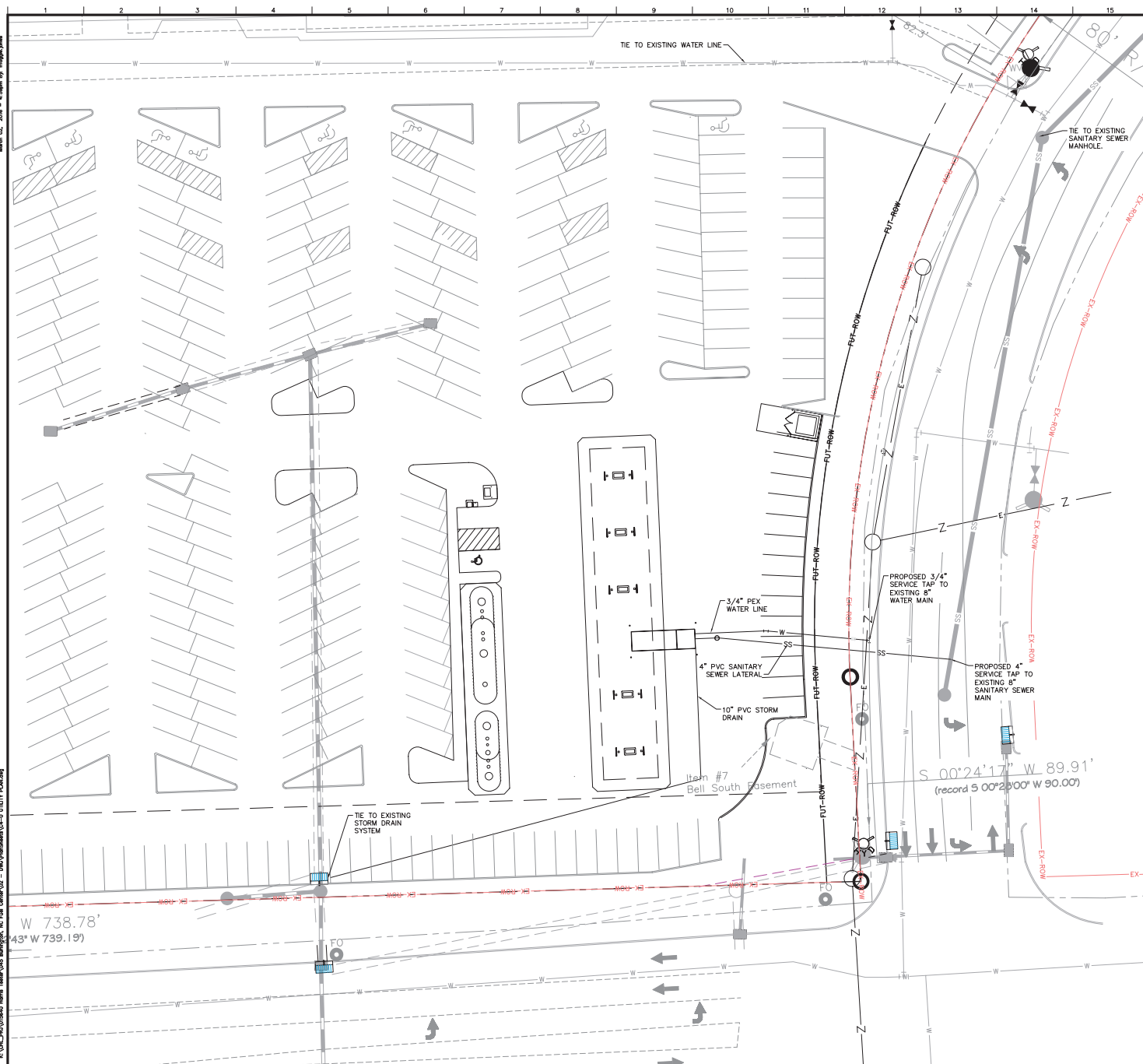
BUILDING
EXPANSION PLAN










DESIGNED BY:	MFJ
DRAWN BY:	PF
CHECKED BY:	MAE
DATE:	3/02/16
PROJECT#:	015640045

C2-4



THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.



UTILITY LEGEND	
 PULL BOX	PROPOSED UNDERGROUND ELECTRIC
 SANITARY SEWER	PROPOSED SANITARY SEWER
 STORM SEWER	PROPOSED STORM SEWER
 TELEPHONE	PROPOSED TELEPHONE
 DOMESTIC WATER	PROPOSED DOMESTIC WATER
 FIRE WATER	PROPOSED FIRE WATER
 IRRIGATION	PROPOSED IRRIGATION
 GAS	PROPOSED NATURAL GAS
 FIBER OPTIC CABLE	PROPOSED FIBER OPTIC CABLE

1. SEE GENERAL NOTES SHEET FOR ADDITIONAL UTILITY NOTES
2. ALL BACKFLOW AND METER TYPES TO BE APPROVED BY THE CITY OF BURLINGTON ENGINEERING DEPARTMENT.
3. CAST IRON SLIDE COVERS MUST BE USED ON ALL CLEANOUTS LOCATED IN PAVED AREAS.
4. ALL APPLICABLE WATER/SEWER IMPACT AND METER FEES MUST BE PAID BY CONTRACTOR BEFORE ANY BUILDING PERMITS ARE ISSUED.

1. CONTRACTOR TO COORDINATE WITH THE CITY OF BURLINGTON ENGINEERING DEPARTMENT AND PAY FOR TIE-IN TO THE CITY OF BURLINGTON SANITARY SEWER PROPOSED FOR THIS PROJECT.
2. CONTRACTOR TO LOCATE LATERAL CONNECTIONS TO BUILDING PER PLUMBING PLANS.
3. PLACE CLEAN-OUTS ON SANITARY SEWER LATERALS AS REQUIRED BY PLUMBING CODE.
4. CONTRACTOR IS RESPONSIBLE FOR OBTAINING AN ENCROACHMENT AGREEMENT PERMIT, AS REQUIRED, TO CONSTRUCT UTILITY CONNECTIONS.
5. TRENCHES FOR SEWER LATERALS MUST REMAIN OPEN FOR PLUMBING INSPECTION.

1. CONTRACTOR TO LOCATE TIE-INS TO ALL BUILDINGS BASED ON PLUMBING PLANS.
2. ALL WATER METERS BELONGING TO THE TOWN SHALL BE PLACED BY A PLUMBER CONTRACTED BY THE PROPERTY OWNER.
3. ALL WATER METERS SHALL BE INSTALLED IN THE GROUND PURSUANT TO THE STANDARD CODES OF THE CITY OF BURLINGTON IN A LOCATION THAT WILL BE EASY TO ACCESS BY REPRESENTATIVES OF THE CITY OF BURLINGTON, UNLESS AN EXCEPTION SHALL BE GRANTED.
4. CONTRACTOR IS RESPONSIBLE FOR OBTAINING AN ENCROACHMENT AGREEMENT PERMIT AS REQUIRED, TO CONSTRUCT UTILITY CONNECTIONS.



Know what's **below.**
Call before you dig



January 14, 2016

Mr. Jason Geary
Traffic Services Engineer
City of Burlington
425 S Lexington Avenue
Burlington, NC 27215

**RE: *Harris Teeter Fuel Services Preliminary Traffic Impact Analysis
US 70 at Shadowbrook Drive, Burlington, NC***

Dear Mr. Geary,

As requested by the City of Burlington, Kimley-Horn has performed a preliminary traffic impact analysis for a proposed customer-incentive based fuel center tied to the existing Harris Teeter located within the New Market Square shopping center. This existing development is located in the northwest quadrant of the US 70 (South Church Street) at Shadowbrook Drive/Huffman Mill Road intersection in Burlington, North Carolina. The proposed fuel center would be located within the existing parking lot in front of Harris Teeter. Access is provided to the shopping center via one full-movement driveway on Shadowbrook Drive and two full-movement driveways on US 70 (South Church Street). The existing shopping center is shown in **Figure 1** below.



Figure 1: Location Map and Study Area

The purpose of this analysis is to determine the percent contribution of traffic that could potentially be added to the signalized intersection of US 70 (South Church Street) at Shadowbrook Drive/Huffman Mill Road from the proposed fuel center. This letter documents the methodology used to determine the

amount of traffic that could be expected to be added to this intersection upon build-out of the proposed fuel center.

Existing Traffic Volumes

Intersection turning-movement counts have not been performed at the intersection US 70 (South Church Street) at Shadowbrook Drive/Huffman Mill Road. Instead, the most recent average annual daily traffic (AADT) volumes obtained from the North Carolina Department of Transportation (NCDOT) were used to determine AM and PM peak-hour traffic volumes. **Figure 2** shows the 2013 AADTs along the adjacent roadway network.

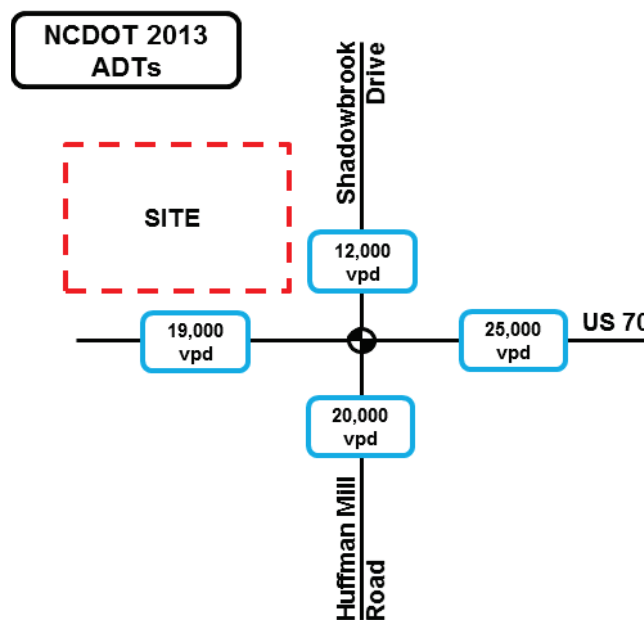


Figure 2: 2013 AADTs (Source: NCDOT)

The volumes shown in Figure 2 are 24-hour, two-way traffic volumes along these streets. To convert the 24-hour volumes to peak-hour volumes, a 10% factor was used, an industry-standard conversion factor. To convert the two-way volumes to directional volumes, a directional factor was determined on each link based on AADTs, surrounding land uses and major transportation links, and review of the “typical” AM and PM peak-hour traffic diagrams provided by Google Maps. Based on this, the following directional splits were used:

- US 70 (South Church Street)
 - AM: 50% EB, 50% WB
 - PM: 50% EB, 50% WB
- Shadowbrook Drive/Huffman Mill Road
 - AM: 60% SB, 40% NB
 - PM: 40% SB, 60% NB

An even directional split was assumed along US 70 based on the proximity of the City of Burlington to the east with the City of Greensboro to the west. The directional splits assumed for Shadowbrook Drive/Huffman Mill Road was based on the proximity of I-85/I-40 to the south. **Figure 3** shows the resulting AM and PM peak-hour traffic volumes entering the intersection based on the assumptions above.

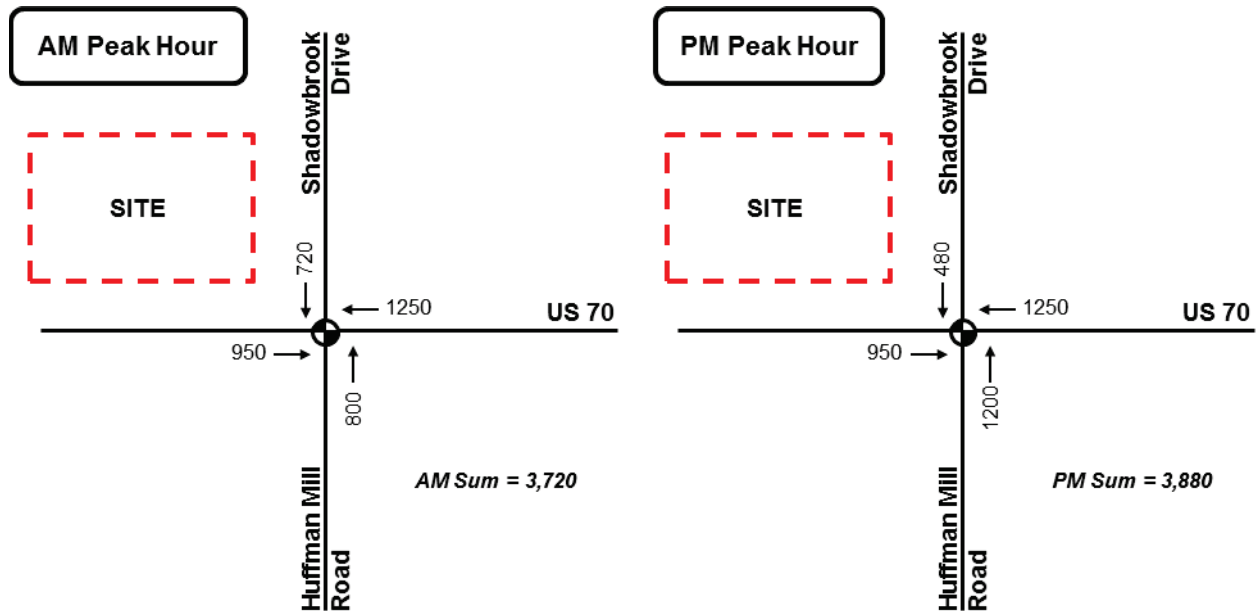


Figure 3: AM and PM Peak-Hour Traffic Volumes

Site Traffic Volumes

The proposed fuel center includes 8 fueling positions. Trip generation calculations were performed based on data published by the Institute of Transportation Engineers' (ITE) *Trip Generation, 9th Edition* along with local data collected at an existing customer-incentive based fuel center tied to a Harris Teeter. The local data, collected in Murrell's Inlet, South Carolina in July 2015, provided internal capture rates between Harris Teeter grocery and the fuel center. This data was collected and used in place of typical ITE internal capture rates to account for the notion of incentives provided between the two uses that would be expected to promote an increased internal capture rate between these two uses as compared to two other typical retail uses. Based on the surveys performed, 38% of the fuel customers also visited the grocery center during the AM peak hour, with 34% during the PM peak hour. These rates were used in the trip generation calculations shown in **Table 1** below.

Table 1 - Trip Generation									
Land Use	Intensity		Daily	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Gasoline Service Station with Convenience Market	8	FP	1,302	81	41	40	108	54	54
Subtotal			1,302	81	41	40	108	54	54
Internal Capture			469	31	16	15	37	18	18
ITE 945 Pass-By - 62% AM / 56% PM			72	32	16	16	40	20	20
Adjacent Street Traffic				3,344			3,750		
10% Adjacent Street Traffic			1,420	670	335	335	750	375	375
Pass-By			72	32	16	16	40	20	20
Net New External Trips			761	18	9	9	31	16	16
Note: Trip generation was calculated using the following data:									
Daily Traffic Generation									
Gasoline Service Station with Convenience Market	[ITE 945]	=	T = 162.78 (X) ; (50% in, 50% out)						
AM Peak-Hour Traffic Generation									
Gasoline Service Station with Convenience Market	[ITE 945]	=	T = 10.16 (X) ; (50% in, 50% out)						
PM Peak-Hour Traffic Generation									
Gasoline Service Station with Convenience Market	[ITE 945]	=	T = 13.51 (X) ; (50% in, 50% out)						

As shown, the proposed fuel center is expected to generate 18 total AM and 31 total PM net new external peak-hour trips.

Site trip distribution was determined based on surrounding land uses and AADTs in the vicinity of the site. The site trip assignment was determined using the distribution and taking into account the full-movement access to both US 70 (South Church Street) and Shadowbrook Drive. **Figure 4** on the next page shows the site trip distribution and assignment developed for the proposed site traffic.

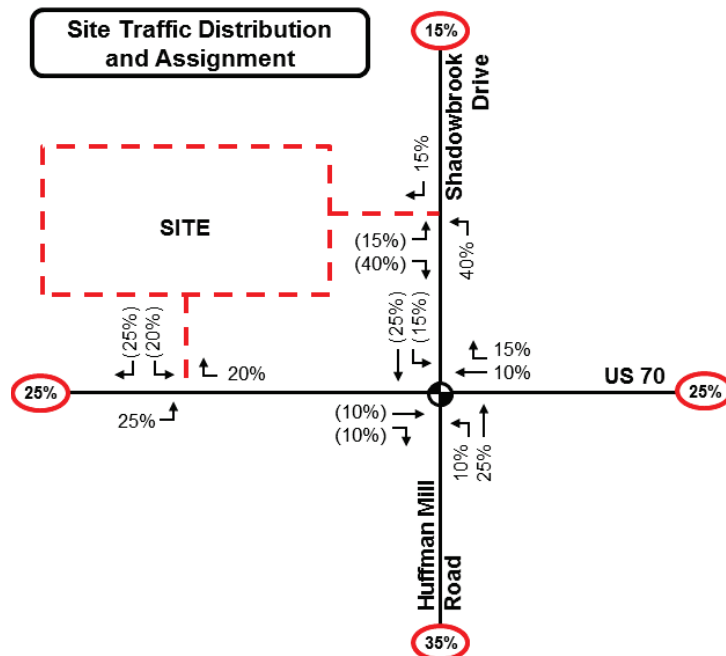


Figure 4: Site Traffic Distribution and Assignment

Using this distribution and assignment, along with the trip generation shown in Table 1, site trips were assigned appropriately to the surrounding roadway network. **Figure 5** shows the site traffic volume added to the surrounding roadway network upon build-out of the proposed fuel center.

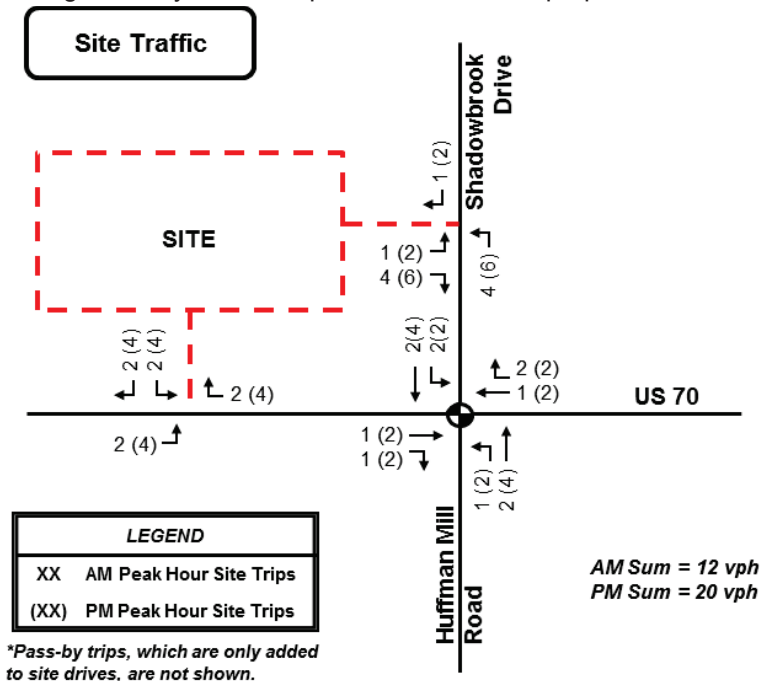


Figure 5: Proposed Site Traffic

Once assigned, the total entering site traffic to the intersection of US 70 at Shadowbrook Drive/Huffman Mill Road was determined for both the AM and PM peak hours, shown in Figure 5. Comparing the site traffic expected to enter the intersection from Figure 5 to the existing traffic entering the intersection from Figure 3 provides a percent contribution of site traffic that could be expected at the intersection during both peak hours.

Conclusion

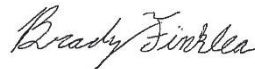
Based on the analysis described in the sections above, the site is expected to contribute 0.3% of the total entering intersection traffic during the AM peak hour and 0.5% during the PM peak. Based on this, the proposed fuel center is expected to have a minimal impact to the intersection of US 70 (South Church Street) at Shadowbrook Drive/Huffman Mill Road.

If you have any further questions, please do not hesitate to contact me at (704) 333-5131.

Very truly yours,

KIMLEY-HORN

Steve Blakley, P.E.



Brady Finklea, P.E.



December 22, 2015

Mr. Joey Lea
Zoning Administrator
City of Burlington
425 S Lexington Avenue
Burlington, NC 27215

RE: *New Market Square Parking Evaluation Study, Burlington, NC*

Dear Mr. Lea,

As requested by the City of Burlington, Kimley-Horn has performed a parking evaluation study for the New Market Square shopping center parking lot. This site is located at the intersection of Shadowbrook Drive and US 40 (South Church Street) in Burlington, North Carolina as shown in **Figure 1**. The purpose of this study is to determine if the existing demand for parking at the shopping center could be accommodated if the number of spaces was reduced from 5 spaces per 1000 square feet of shopping center space to 4 spaces per 1000 square feet of shopping center space. The potential reduction in parking would allow for the construction of a new fuel center. These calculations were based on existing parking occupancy counts. The parking area included in the study is located within the existing New Market Square shopping center and includes spaces along the rear sides of the buildings. On the originally submitted plans for TRC, the overall site plan reflected a total of 631 spaces for the center. This count was based off an outdated CAD file and an aerial. It has come to our attention, through this parking study, the center now has a total of 618 parking spaces. Half-hour parking observations were collected to determine the number and location of spaces that were occupied. Observations were made in December 2015 to account for peak retail demand.



Figure 1: Location Map and Study Area

Background Data Collection

Field observations were performed to observe shopping center operations and collect site information, including the location of obstructions/constraints and other notable features of the parking area.

As directed by the City, we collected occupancy data on a weekday and a Saturday in December 2015 during the following times:

- Tuesday, December 8 between 4:30 PM and 6:30 PM
- Saturday, December 19 between 10:30 AM and 2:30 PM

Parking Occupancy

Kimley-Horn calculated parking occupancy for each half hour on Tuesday, December 8, 2015 and Saturday, December 19, 2015. There are currently a total of 618 available parking spaces in the New Market Square shopping center. Therefore, the number of spots occupied divided by 618 yields the percent occupied for the observed time periods. **Table 1** shows the percent occupancy for Saturday, December 19, 2015.

	Parking Spaces Occupied	Percent Occupancy
10:30 AM	230	37.2%
11:00 AM	276	44.7%
11:30 AM	306	49.5%
12:00 PM	338	54.7%
12:30 PM	341	55.2%
1:00 PM	372	60.1%
1:30 PM	395	63.9%
2:00 PM	378	61.2%
2:30 PM	383	62.0%
Period Average	335	54.2%

Table 1: Parking Occupancy Data (Saturday, December 19, 2015)

As shown in **Table 1**, the maximum percent occupancy on Saturday, December 19 for the observed time period was 63.9%, which equates to 395 spaces or 3.2 spaces for every 1000 square feet of shopping center space.

Table 2 shows the percent occupancy for Tuesday, December 8, 2015.

	Parking Spaces Occupied	Percent Occupied
4:30 PM	225	36.4%
5:00 PM	219	35.4%
5:30 PM	250	40.5%
6:00 PM	230	37.2%
6:30 PM	189	30.6%
Period Average	223	36.0%

Table 2: Parking Occupancy Data (Tuesday, December 8, 2015)

As shown in **Table 2**, the maximum percent occupancy on Tuesday, December 8 for the observed time period was 40.5%, which equates to 250 spaces or 2.0 spaces for every 1000 square feet of shopping center space.

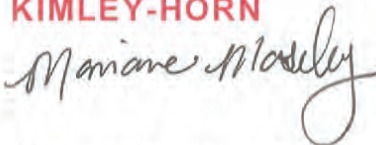
Conclusion

Based on the data collected, the maximum observed occupancy of 395 spaces (63.9 % occupied), occurred on Saturday, December, 19, 2015 between 1:30 PM and 2:00 PM. A parking occupancy of 395 spaces equates to 3.2 spaces for every 1000 square feet at the New Market Square; therefore, a reduction in the current number of parking spaces required from 5 parking spaces per every 1000 square feet of shopping center space to 4 parking spaces for every 1000 square feet of shopping center space should be considered reasonable.

If you have any further questions, please do not hesitate to contact me at 704 409 1811.

Very truly yours,

KIMLEY-HORN



Marianne Moseley, P.E.



Dillon Turner, EIT

Attachments

- **Count Data**



920 Blairhill Rd. Ste. B-106
Charlotte, NC 28217
704-215-4616

Date Counted: 12/19/2015
Burlington Parking Study

Time	Total Number of Standard Parking Spaces - 599	Empty	Occupied
10:30AM		374	225
11:00AM		334	265
11:30AM		303	296
12:00PM		269	330
12:30PM		270	329
1:00PM		244	355
1:30PM		215	384
2:00PM		235	364
2:30PM		230	369

Time	Total Number of Handicapped Parking Spaces - 17	Empty	Occupied
10:30AM		12	5
11:00AM		7	10
11:30AM		7	10
12:00PM		9	8
12:30PM		5	12
1:00PM		2	15
1:30PM		7	10
2:00PM		4	13
2:30PM		5	12

Time	Total Number of 10-Minute Parking Spaces - 2	Empty	Occupied
10:30AM		2	0
11:00AM		1	1
11:30AM		2	0
12:00PM		2	0
12:30PM		2	0
1:00PM		0	2
1:30PM		1	1
2:00PM		1	1
2:30PM		0	2



920 Blairhill Rd. Ste. B-106
Charlotte, NC 28217
704-215-4616

Date Counted: 12/8/2015
Burlington Parking Study

Time	Total Number of Standard Parking Spaces - 599	Empty	Occupied
4:30PM		384	215
5:00PM		387	212
5:30PM		360	239
6:00PM		378	221
6:30PM		416	183

Time	Total Number of Handicapped Parking Spaces - 17	Empty	Occupied
4:30PM		8	9
5:00PM		10	7
5:30PM		6	11
6:00PM		8	9
6:30PM		11	6

Time	Total Number of 10-Minute Parking Spaces - 2	Empty	Occupied
4:30PM		1	1
5:00PM		2	0
5:30PM		2	0
6:00PM		2	0
6:30PM		2	0

Memo

To: Mayor and Council
From: Peggy Reece
CC: Hardin Watkins
Date: 4/15/2016
Re: Burlington Splash Park Fees

The Recreation Dept. has prepared the attached fee schedule for the new Splash Pad located at the Aquatic Center. The Splash pad is free for individuals attending. The attached fee schedule is addressing the fees for groups and private rentals. Please include the attached listing of the fees on the City Council agenda for April 19, 2016 so that Council can consider approval of these fees.

Burlington Splash Park Fees

- **Free** admission for individuals and families (non-organized groups) during normal operational hours.
- **Group Reservation Fees for Daily Entry**
 - \$2 per person (regardless of participation)
 - Timeslots are 60 minutes long, starting at the top of every hour
 - All groups must be registered in advanced to be allowed entry
- **Private Rentals**
 - Monday-Friday
 - 6pm-7:30pm
 - 8 Tables plus up to 60 people
 - \$125.00
 - Saturday Private Rentals during Non-Operational Hours
 - 9:30am – 11am or 6pm-7:30pm
 - 8 Tables plus up to 60 people
 - \$125
 - Sunday Private Rentals during Non-Operational Hours
 - 6pm – 7:30pm
 - 8 Tables plus up to 60 people
 - \$125